

2021-2022 IAMC-TMX ANNUAL REPORT

Trans Mountain Expansion and Existing Pipeline



Advisory and Monitoring Committee Trans Mountain Expansion and Existing Pipeline Welcome to the IAMC-TMX's fourth Annual Report, which covers the period from April 1, 2021 to March 31, 2022



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Message from the Minister of Natural Resources

As Canada steps up its climate ambitions with one of the world's most detailed action plans for reducing emissions while concurrently unlocking the economic opportunities of a clean-growth, low-carbon future — the government is working with communities and partners in all parts of the country to deliver on its commitments. These partners include the Indigenous Advisory and Monitoring Committee for both the Trans Mountain Expansion and existing pipeline (IAMC-TMX) — an inclusive model for building sustainable prosperity as we work toward net-zero emissions by 2050.

The IAMC-TMX is many things: a collaborative forum; a vehicle for advancing Indigenous reconciliation; and an example of what genuine partnerships can achieve.

I know that all of this is true because I have seen the Committee's success first-hand.

After I was appointed the Minister of Natural Resources last November, I was invited to participate in a Line Wide Gathering and had a chance to meet several of the Committee members. The important work of the Committee, informed by the expertise and knowledge of its members, includes completing its 100th Compliance Verification Activity with the Canada Energy Regulator; continuing to advance the Temporary Work Camps and Influx of Workers Initiative; and playing a vital role monitoring the impact of the devastating floods in British Columbia last fall. This report reflects all of this work. The fact that the IAMC-TMX has accomplished much of it during a global pandemic and while working almost exclusively in a virtual environment is truly impressive.

Now, as the Committee returns to in-person meetings and work, I look forward to its continued success in the coming years.



Jonathan Wilkinson Minister of Natural Resources

Message from Canada Energy Regulator CEO

The CER is committed to advancing Reconciliation and changing the way we work with Indigenous Peoples. I am pleased to see how our interactions with the IAMCs are resulting in meaningful changes to CER processes, policies, activities and relationships. The partnerships being developed with Indigenous Nations that participate in the IAMCs are helping to transform the way we regulate and are resulting in tangible progress on our Reconciliation Strategic Priority.

One of the key accomplishments this year was the completion of our 100th compliance verification activity with IAMC-TMX Indigenous Monitors. As well, Indigenous Monitors played an important role in our response efforts in the field following the BC floods.

We are also proud of the work we have accomplished together with the IAMC Indigenous Caucus the Trans Mountain Corporation, and Natural Resources Canada. Our joint commitment to co-develop and implement improvements to Indigenous monitoring policy and programs through the TMX-IAMC Policy Table drove tangible results. Key work has included: the endorsement of an issue resolution Field Discussion Forum to enable a continued discussion between Trans Mountain, the Indigenous Caucus of the IAMC-TMX, and the CER on operational issues that go beyond compliance-related issues; the development of a Community Profiles tool for Indigenous Monitors and CER Inspectors – a mobile tool that Indigenous Monitors can use remotely to access community information relevant to inspection areas; and a new Bridging Program that sees experienced Indigenous Monitors join the CER and train to become designated Inspection Officers. As members of the CER, they will help build our internal capacity while ensuring we continue to enhance the meaningful participation of Indigenous communities in oversight activities. The CER welcomed the Government of Canada's commitment to continue funding for the IAMCs, and we are very committed to working with our IAMC partners on this important initiative.

The IAMC-TMX has done important work on Sites of Indigenous Significance, holding multiple workshops to redefine their protection, as well as setting expectations on how companies should engage with affected communities. This work has helped the Trans Mountain Corporation make its process for chance finds of Sites of Indigenous Significance more transparent. Through the work of the IAMCs, the perspectives of Indigenous peoples and communities are being considered a thoughtful way, ultimately meaning potential impacts are addressed much more effectively. The CER is grateful to be a part of this committee, with so many who are working hard to protect Indigenous rights and interests, and advance Reconciliation. I am proud of the progress we have achieved together and commit to working humbly with the IAMC to continue this journey.



Gitane De Silva Chief Executive Officer Canada Energy Regulator



Co-Chairs' Message

The IAMC-TMX has arrived at a defining moment in its history – the completion of its initial fiveyear mandate. The last six months have been a whirlwind of renewal negotiations and hard conversations as we worked together on our shared future. We are now embarking on the next stage in our evolution with the completion of TMX expected in late 2023, at which point we will begin to monitor an in-service pipeline.

This is the IAMC-TMX's fourth Annual Report, which covers the period from April 1, 2021 to March 31, 2022. This year has been filled with both great success and challenges. We began still working in the uncertainty of COVID-19 and ended with that firmly behind us as we conducted our first in-person meeting in two years in Vancouver on March 30–31.

Shortly after that Budget 2022 renewed our mandate to develop the next phase of our work post-construction. We will work relentlessly to ensure that Indigenous communities can effectively and meaningfully participate in the monitoring of the environmental, safety and socioeconomic aspects of Trans Mountain activities.

Our first priority is the health and safety of our communities, families and workplace, and this was never as notable as it was with the flooding in southern British Columbia during November 2021. At this year's Line Wide Gathering, an important annual event, where we get to update communities about the work the Committee has completed over the past year and hear from them about their interests and concerns, we hosted about 170 participants representing 66 of the 129 Indigenous communities, several federal departments or agencies, and the CER.

One of the highlights of the year has to be work done by our Indigenous monitors who went out in the field in the days after the flood with the emergency crew of the Canada Energy Regulator (CER) to monitor the devastation and report back. This Indigenous Response Team provided a great service and stayed in the field until the CER closed the operation. We are truly proud of those individual monitors.

We received a tremendous response to our July Call for Proposals. Many communities applied and 79 projects were approved worth approximately \$4 million. The communities now have until the end of December to complete their projects.

In 2021–2022 we completed our 100th Compliance Verification Activity with the CER. This is no small feat as it is just over a year after the first 50 were completed. Also, the socioeconomic subcommittee was very active in further advancing the Temporary Work Camps and Influx of Workers Initiative by increasing Indigenous participation in the identification and oversight of socioeconomic and cultural effects of TMX.

In this report, we will take a more in-depth look at the innovative work we have undertaken over the past year to advance our shared goal of safety and protection of environmental and Indigenous interest in lands and waters.



Michelle Wilsdon Indigenous Co-Chair



Joanne Pereira-Ekström Federal Co-Chair

About the Committee

Who We Are

The Committee brings together Indigenous and government representatives to provide advice to and support oversight with federal regulators and to monitor the proposed TMX project, the existing pipeline and the associated marine shipping. The Committee was co-developed over six months by a working group made up of representatives from Indigenous communities, the federal government and the CER. When the TMX project was approved in November 2016, the Government of Canada announced its commitment to co-developing an Indigenous Advisory and Monitoring Committee. Importantly, the commitment was for the life cycle of the project—signaling that this would be a long-term relationship.

The Committee is made up of a 13-member Indigenous Caucus and six senior federal representatives from Natural Resources Canada (NRCan), the CER, Transport Canada (TC), DFO, Canadian Coast Guard (CCG) and Environment and Climate Change Canada (ECCC). There are two Co-Chairs, one from the Indigenous Caucus and one from NRCan.

Our Terms of Reference (TOR), which are available on our website, were co-developed by Indigenous and federal government representatives and endorsed by the Chair of the CER and the Minister of NRCan in July 2017. The TOR is the Committee's guiding document. It outlines the ways in which we have agreed to work together to accomplish our common goals. It establishes a shared set of expectations and outlines accountabilities of members.

Our Role

The Committee is an additional collaborative forum for engagement between regulators and Indigenous communities. Our role is to ensure a collaborative, inclusive and meaningful Indigenous involvement in activities related to the Trans Mountain pipeline and proposed expansion.

Our Vision

Our vision is a new relationship between Indigenous communities, the federal government and the CER in respect of the review and monitoring of the life cycle of Trans Mountain activities.

Our Purposes

- To provide a collaborative forum supported by technical resources for Indigenous communities, the government and regulators to enhance environmental protection and the safety of Trans Mountain activities.
- 2. To support Indigenous communities' effective and meaningful participation in the monitoring of the environmental, safety and socioeconomic aspects of Trans Mountain activities.
- 3. To enable Indigenous communities to come together to identify common priorities and perspectives related to Trans Mountain activities and to voice those interests to the government and regulators.
- 4. To build an understanding of issues of concern to Indigenous communities in order to develop a common perspective between the government, the CER and Indigenous communities regarding Trans Mountain activities and to provide informed advice to the government and the CER on how to address those issues.
- 5. To share information in a cooperative and transparent manner relating to the environmental, safety and socioeconomic issues of Trans Mountain activities.

Overarching Goals

- Safe, environmentally and socioeconomically sound Trans Mountain activities
- Respect for Indigenous rights and perspectives in the monitoring of Trans Mountain activities
- Well-informed and supported Indigenous groups engaging effectively with government, regulators and the proponent in relation to Trans Mountain activities
- Collaboration, shared learning and integration of knowledge

How We Work

The Committee is a partnership — Indigenous and federal government representatives working together towards a shared vision and purpose. Committee members take the time to listen to all viewpoints and build upon the diversity, strengths and experiences around the table. We learn and work together in a safe and respectful way. In our work, we also endeavour to honour all Treaties, respect Aboriginal rights and title and support nation-to-nation relationships.

We seek to advance the principles underlying the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission's Calls to Action.



Learning

Joint learning activities
Ability to convene experts
Knowledge sharing



Issues Identified

• Through discussion, engagement, workshops, etc.



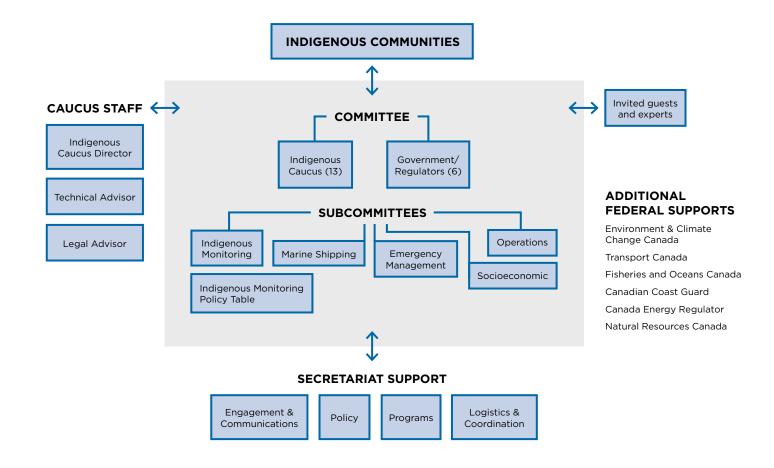
Gaps Identified

• How to incorporate Indigenous perspectives?



Resolution

Actions needed to be taken by the IAMC-TMX
Recommendations to other (appropriate) agencies



Indigenous Caucus

Indigenous communities along the pipeline route and shipping lanes select the 13 members of the Indigenous Caucus. Members of the Indigenous Caucus are not federal appointees. The Indigenous Caucus engages with community members to learn about their priorities and perspectives. on the TMX project. The Indigenous Caucus meets regularly to discuss how best to advance community and regional interests and concerns at the IAMC-TMX table. The Prime Minister of Canada, the Minister of NRCan, the Chair/CEO of the CER and other senior federal officials have all met with the Indigenous Caucus. It is part of an ongoing dialogue and effort by all to build a productive, trust-based working relationship between Indigenous communities, federal

regulators and Trans Mountain. The Indigenous Caucus has made formal submissions to the federal Standing Committee on Environment and Sustainability to provide advice on the Federal government's environmental and regulatory reviews, specifically, proposed changes to the Canadian Environmental Assessment Act (CEAA), 2012 and the Fisheries Act. The Caucus also provided a written submission and oral evidence at the CER's Reconsideration Hearings. The work of the Indigenous Caucus provides the IAMC-TMX with a broader understanding of the extensive range of views and issues of Indigenous communities. This work supports a collaborative approach to build a relationship based on trust and respect.

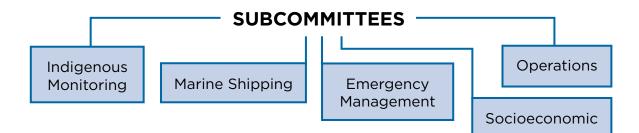
Federal Members

Partnership is a critical principle for the Committee. It was part of the vision of the Indigenous Leadership, the Chair of the CER, and the Minister of NRCan when they endorsed the formation of this Committee. It was important then, as it is now, to strengthen relationships and to change the ways in which we work together. There are six federal members on the Committee including the regulator and departments involved in the TMX Project. These include the CER, NRCan, CCG, TC, ECCC and DFO.

Subcommittees

The IAMC-TMX forms and oversees subcommittees and working groups to work on specific issues or regional concerns. The subcommittees undertake work that requires more expertise or focus on a particular issue. These include Indigenous Monitoring, Marine Shipping, Socioeconomic, Operations and the Emergency Management Working Group. Each subcommittee and working group develop work plans, budgets and activities that are approved by the Committee.

Subcommittee members are appointed by the Committee and must demonstrate they have the expertise, skills and experience relevant to the work of that particular subcommittee. Membership may also include other individuals and representatives, such as: Elders, youth, Indigenous knowledge-holders, other community members or staff from Indigenous communities or other Indigenous groups; representatives of the federal, provincial and local governments; and technical experts, including Trans Mountain representatives.





Strategic Directions

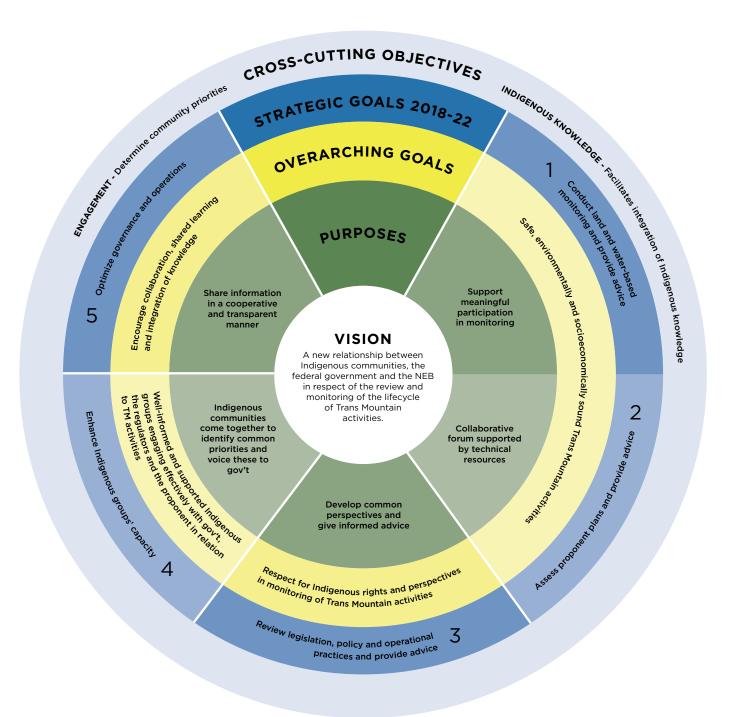
In order to achieve our overarching goals, we identified five strategic goals as a Committee. The remainder of this report will outline the work we have undertaken to advance these goals:

Strategic Goal 1: Conduct land and water based monitoring and provide advice;

Strategic Goal 2: Assess proponent plans and provide advice;

- Strategic Goal 3: Review legislation, policy and operational practices and provide advice;
- Strategic Goal 4: Enhance Indigenous groups' capacity; and

Strategic Goal 5: Optimize governance and operations.



Indigenous Caucus Activities

Introduction

The 2021-22 fiscal year — like the previous one was heavily affected by the COVID-19 pandemic. The Caucus remains steadfast in its vision of implementing a new oversight framework for major projects. However, it will take changes in relationships to make this vision a reality. The inability to connect in person affected the way in which relationships can deepen and evolve. The Caucus holds its hands up to all members of the Committee, its subcommittees, the affected Indigenous communities, and its government partners who remain committed to advancing Indigenous interests and upholding Indigenous rights in major project regulation.

United Nations Declaration on the Rights of Indigenous Peoples Act

The enactment of the United Nations Declaration on the Rights of Indigenous Peoples Act ("the UNDRIP Act") on June 21, 2021 has hugely impacted Caucus activities. The Caucus' advisory and monitoring functions are now informed by the standards set out in the UNDRIP Act. On September 22, 2021, the Caucus invited Grand Chief Wilton Littlechild to address the Committee on how it must evolve in order to meet the obligations of the UNDRIP Act. The work to implement the UNDRIP Act will be ongoing, as was made clear in the renewal discussions that occupied much of the 2021-22 fiscal year.

Renewal

The Caucus' vision for the evolution of the Committee was set out in its letter and accompanying memorandum to Minister O'Regan in March 2021. The Caucus expanded upon its vision in various follow up correspondence, and in a virtual meeting with Deputy Ministers from all Committee departments in July 2021. The Caucus is focused on its long-term vision of improving major project oversight. In the short-term, the Caucus is concentrating on:

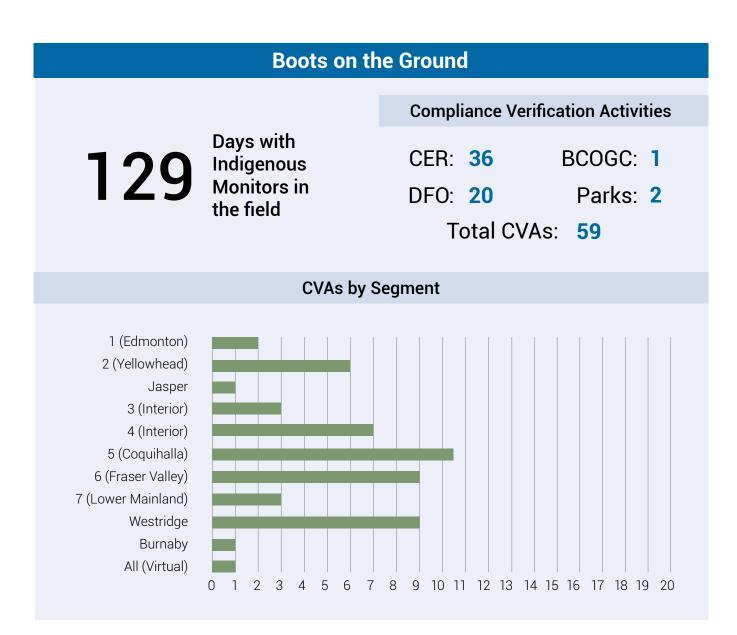
- responding to the operations phase of the project, which will require emergency preparedness and response, marine advice and monitoring, pipeline operations monitoring, and continued socioeconomic monitoring;
- making structural improvements to the functioning of the Committee, and finding opportunities to leverage the Committee's capacity and expertise beyond the Trans Mountain context;
- deepening the Committee's role in oversight of the Trans Mountain pipelines and marine shipping, which is a long-standing objective that is embedded in section 14 of the Terms of Reference.

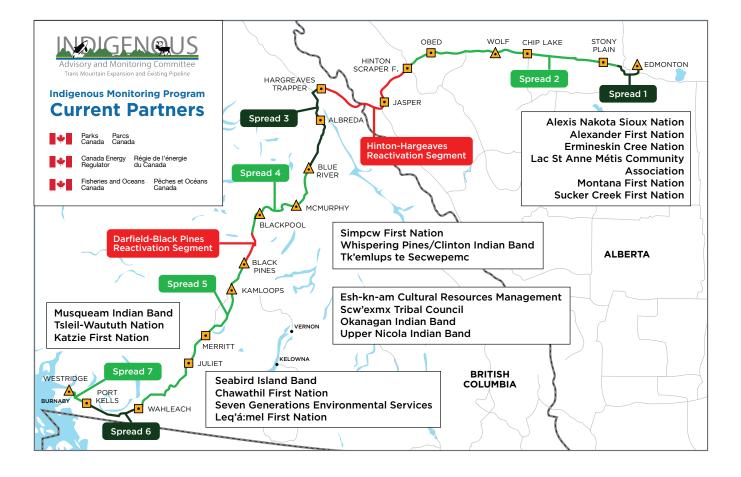
The Caucus looks forward to continuing its work in all of the above areas.



Indigenous Monitoring Subcommittee

The IAMC-TMX has been implementing an Indigenous Monitoring (IM) Program to provide opportunities for Indigenous communities to participate in accompanying regulators in verifying Trans Mountain Corporation's compliance with regulations since the fall of 2019. The IM Program currently supports 23 Indigenous monitors from 20 Indigenous partner communities and organizations across the pipeline route to participate in oversight with federal regulators, including the Canada Energy Regulator (CER), Fisheries and Oceans Canada (DFO) and Parks Canada. Since the inception of the program 168 Compliance Verification Activities have been completed – 102 with the CER, 59 with DFO, 6 with Parks Canada and one with the BC Oil and Gas Commission. The success of the program has allowed Indigenous issues to move to the fore of the inspection process. These activities have helped build trust between regulators and communities, increasing Indigenous oversight of the TMX project.





Monitoring During the Pandemic

During the second year of the pandemic the focus moved to restoring Indigenous and federal on-site presence in a safe manner. The IAMC hired a well-respected company, BEHR Integrated Solutions, to support the development of a COVID-19 health and safety plan which has been implemented since April 2020. Following the implementation of the Plan, all IMs are required to attend COVID safety training prior to being able to attend in-person CVAs.

Over the last year BEHR has developed the IM Health & Safety Program, which includes a training matrix that will define the tasks the IM's are required to complete and the associated procedures that will be followed along with the specific training required. The purpose of the training matrix is to set a consistent standard and to ensure that the IM's have a training "path" to ensure we are continually improving on the IM's competencies and supporting their efforts in the field.

"When emergencies happen, Indigenous communities want to participate in the larger response. We assembled a small team as part of an Indigenous response team in the field to support BC flooding. I'm very proud of the hard work the team did in the field and the time spent engaging communities, leaders and Elders."

RAY CARDINAL

Chair, Indigenous Monitoring Subcommittee

Highlights of the IMSC in the Last Year

The Indigenous Monitors for the IAMC-TMX began to work in the field again in the spring after a year of being on hold due to the pandemic, and recently completed 164 inspections.

On November 16, Trans Mountain closed the existing Trans Mountain Pipeline after one of the worst floods in BC history. The disaster was tragic but the response of the IAMC-TMX monitors was truly heroic.

The monitors formed an Indigenous Response Team, and as part of that operation, one of them was deployed to the CER's Virtual Emergency Operation Centre (VEOC) in Kamloops on November 25th and joined the CER Field Response Team that same day.

On December 3rd, two more monitors and the Chair of the Indigenous Monitoring Subcommittee joined the team and, working closely with the CER Field Team actively reviewed and monitored the work sites. Between November 26th and December 5th, the IMs observed Trans Mountain, Enbridge, and Ministry of Transport worksites (work in and near water courses), focusing on safety, Sites of Indigenous Significance and Environmental concerns.

Later in December our monitors, Cebo Tom and Robert Clarke, also participated in an Indigenous-only drone flight over Line 1 and the Expansion Project with the BC Oil and Gas Commission. This was our first drone flight and our first in-field activity with a provincial regulator. On other fronts, further inspections with the BC Environmental Assessment Office are being planned. Monitors Cebo Tom and Robert Clarke participated in an Indigenous-only drone flight over Line 1 and the Expansion Project with the BC Oil and Gas Commission. This was our first drone flight and our first in-field activity with a provincial regulator.

At the beginning of the year on April 7th the IAMC-TMX Indigenous Monitors' completed their 100th CVA, which was an emergency management exercise at Trans Mountain's Westridge Marine Terminal. Later in the year in late February the monitors completed their 100th CVA with the CER. Working with the CER has allowed them to learn a great deal about their inspection process.

Continuing the initial success of the regional workshop held with Indigenous groups in the Lower Mainland / Fraser Valley in March 2021, two more were held for communities in Alberta in May and for the BC Interior in June. The purpose of the workshops was to provide communities affected by TMX with an overview of how the IAMC-TMX is advancing Indigenous inclusion in monitoring and oversight.

"IAMC Indigenous monitors are right on the frontlines of a very real and effective opportunity for community guided stewardship of Indigenous values, resources, knowledge, and territory."

MARTIN WHITNEY IAMC-TMX Indigenous Monitor



"The work I have done on the IAMC-TMX and with Indigenous monitors is some of the most rewarding of my career. The conversations I have had with IAMC Caucus members and Indigenous monitors during site visits have provided invaluable insight on Indigenous concerns surrounding work in and around water, and has improved our approach to Indigenous engagement and how we can address the concerns that are raised."

ERNIE WATSON

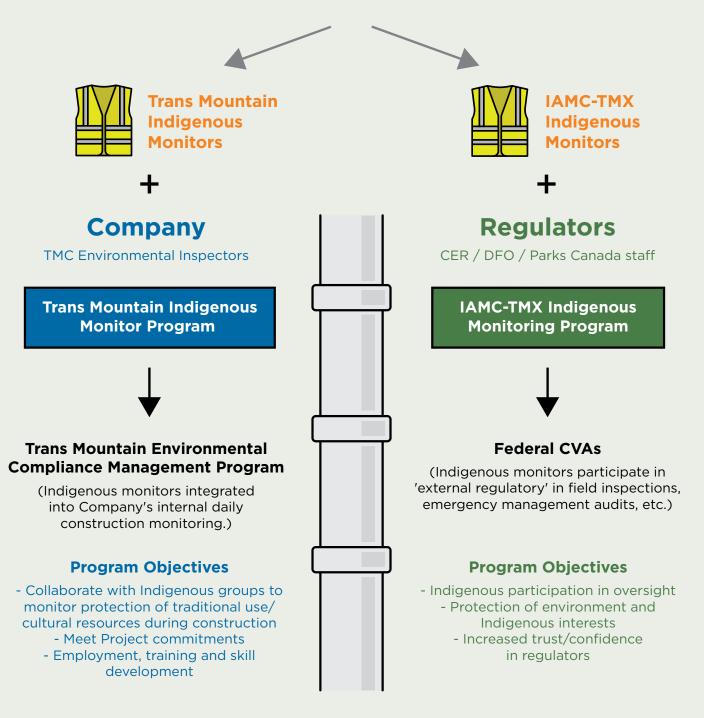
DFO Team Leader, DFO IMSC Member

"Having Indigenous Monitors with us in the field has enhanced the inspection work we already do. With each inspection we continue to break trail towards a new level of excellence and further our collective efforts on the IM Program. It's a comprehensive approach to regulation – Indigenous Monitors have grown their understanding of pipelines and how the CER regulates, and the Regulator has enhanced its awareness of what is important to Indigenous communities, and we better understand the diversity of Indigenous traditional and cultural worldviews."

CHRIS LOEWEN Vice President Field Operations, CER Member IMSC

Indigenous Communities

Indigenous knowledge, values and perspectives



Plans for the Next Year

Going into the next mandate of the IAMC-TMX, the Committee is looking to continue to safely participate in investigations with CER, DFO and Parks Canada. The Committee has the following priorities for the next year:

- Enable Indigenous participation in and integrate Indigenous knowledge, values, and perspectives into Federal oversight of the Trans Mountain Expansion Project.
- 2. Communicate and engage in two-way dialogue with all affected Indigenous

communities to determine what is monitored and how impacts to rights and interests are mitigated.

- Increased capacity of Indigenous monitors to effectively and safely carry out their responsibilities and obtain long-term career benefits.
- 4. Provide effective governance for the IM Program and opportunities to provide advice to regulators.

"Indigenous Monitors continue to gain competencies and experience, particularly through over 100 CVAs with the CER. We are looking forward to growing experience with other federal and provincial regulators on this project and beyond".

TRIBAL CHIEF TYRONE MCNEIL IMSC Member, Stó:lō Nation



Socioeconomic Subcommittee

The Socioeconomic Subcommittee (SESC) was formed in January 2018 to enhance oversight related to Indigenous social, economic, cultural, and health and wellbeing interests associated with the Trans Mountain Expansion Project (TMEP) and existing line, including a focus on impacts associated with temporary work camps and influx of workers.

Key areas of focus for the SESC in 2021–22 included:

- Working directly with Indigenous communities to strengthen their capacity to monitor social, economic, cultural, and health and wellbeing effects, and to enhance their role in preventing, managing and mitigating adverse impacts from natural resource development in their territories, regarding Trans Mountain and related to future projects.
- 2. Mobilizing and disseminating research and compiling wise practices and lessons learned from work undertaken by the SESC over its first four years, to share with Indigenous communities and for use as a premise for policy advice to government.
- Enhancing Indigenous participation in the identification, oversight and management of socioeconomic and cultural effects of major projects, and with a clear focus on TMEP.

To advance this important work, we have collaborated with Indigenous communities along the pipeline corridor, as well as with the CER, various federal departments, Trans Mountain Corporation, and other key partners.

Year in Review

In 2021–22, the SESC worked with Indigenous community representatives, federal regulators and Trans Mountain Corporation to co-develop three regional initiatives that are designed, in part, to build strength in the area of Indigenous socioeconomic monitoring, including with a focus on effects associated with five TMEP work camps located in British Columbia and the very high numbers of temporary workers in both BC and Alberta who are not staying in camps and are utilizing various types of accommodation including hotel/motel, private rentals, etc.

Specifically, the SESC supported the establishment of interagency Socioeconomic Effects Monitoring Working Groups corresponding to the Yellowhead corridor in Alberta and the Fraser Valley in British Columbia, and a regional community monitoring pilot in Simpcw territory in the BC Interior. Each of these regional initiatives is place-based in order to be responsive to the unique priorities of each region. The Working Groups include representatives from Indigenous communities as well as external agencies for example, the RCMP, First Nations Health Authority (BC), not-for-profits such as the Centre to End All Sexual Exploitation (AB), federal partners such as the CER, DFO and ISC, and Trans Mountain Corporation. The primary objectives associated with these three regional initiatives are to identify Indigenous community priorities in each region, to improve information gathering, sharing and reporting, and to inform enhancement of response mechanisms and mitigation measures.



An early focus for the Alberta Working Group is building capacity development at the Indigenous community and regional level regarding socioeconomic effects monitoring, whereas the initial focus in the Fraser Valley is to identify issues so as to institute proactive responses to these issues. Both the Alberta and BC Working Groups approved a Terms of Reference in June 2021, and each group continues to meet on a monthly basis to address priority areas of interest. Some key areas of work undertaken by the Alberta and BC Working Groups over the past year include initiating discussions focused on critical regional safety concerns (including concerns related to Missing and Murdered Indigenous Women and Girls [MMIWG] and gender-based violence), exploring examples of community-based monitoring approaches (including an Indigenousled cumulative effects monitoring program), and looking in-depth at Trans Mountain Corporation's existing Socioconomic Effects Monitoring Plan and Key Management Strategies. If you are interested in joining one of these Working Groups as we expand upon this work, please email tmxcommittee-comitetmx@nrcan-rncan. gc.ca for more information.

In the BC Interior, Simpcw First Nation, the SESC. CER and Trans Mountain Corporation collaborated on the Simpcw First Nation Socioeconomic Monitoring Program. Through this pilot program, Simpcw First Nation hired its first ever community monitor to develop a socioeconomic framework to support Band policy development around socioeconomic effects, including the issue of temporary worker influx and work camps. The framework will identify and track indicators of interest to Simpcw First Nation relative to economic, social, cultural, health and wellbeing impacts in its territory, as well as impact to Indigenous rights and ongoing concerns related to MMIWG. Key results achieved under this initiative this fiscal include community-grounded research into what defines and contributes to Simpcw well being, and the development of a database to support indicator development. It is anticipated that the monitoring framework will be developed in the coming year.

The field of socioeconomic effects monitoring is relatively new, particularly as this concerns Indigenous interests and concerns. By reviewing existing research and undertaking new studies as guided by Indigenous communities, the SESC is seeking to address this existing knowledge gap while at the same time leveraging this research to support the work of the SESC and its regional initiatives, including in relation to capacity building and training in the area of socioeconomic effects monitoring. Research undertaken by the SESC in the past year focused on identifying key issues and priorities in relation to socioeconomic effects associated with natural resource development projects for Indigenous communities in British Columbia (Fraser Valley) and Alberta (Yellowhead corridor).

Through this work, Indigenous communities have identified priorities such as the need to have safe access to traditional harvesting and hunting sites, the need for incidents of racism that occur on and off site to be effectively addressed, and the importance of cultural awareness training for all workers and as an aspect of building cultural safety. SESC research has also surfaced the deep concern of Indigenous communities that existing issues mitigation and response mechanisms for TMEP, such as Trans Mountain Corporation's hotline, are not as effective as they need to be, that these lack transparency, and that these safeguards might not be used at all by members of Indigenous communities (including those working far from home). Indigenous representatives have advised that industry and regulators need to collaborate with Indigenous communities to design appropriate grievance and response mechanisms, ones in which Indigenous community members will feel confidence in usina.

To broadly increase awareness of the importance of Indigenous community-based monitoring, the SESC has developed an animated video that speaks to the importance and relevance of socioeconomic risks associated with major resource development, and to broaden the conversation regarding what matters most to Indigenous communities, including in alignment with the international and constitutionally protected Aboriginal and Treaty rights of Indigenous peoples.



Work Camp Locations

In addition to these five work camps in BC, a large number of non-local workers are being accommodated across the breadth of the line in hotels, rental housing, B&B's, RV parks, etc., the impacts of which are uniquely felt by Indigenous communities.

It is anticipated that the animated video will be released in early 2022–23.

In 2021-22, the SESC initiated a scan of available courses and training opportunities as a first step towards building out a comprehensive curriculum focused on the assessment of socioeconomic risks and matters related to the monitoring of those risks. In the coming year, the SESC will continue building out this curriculum as an aspect of building upon the existing strengths of Indigenous communities in this area.

To further support building on the strengths of Indigenous communities in this space, the IAMC-TMX made funding available for communities to address socioeconomic effects, issues and concerns, including to support community-based monitoring as an aspect of enhancing the important role that Indigenous communities play in terms of stewardship associated with TMEP and other natural resources projects in their territories. Examples of projects that communities received funding for include the development of community-led cultural awareness training, the building of cultural healing facilities, and the procurement of equipment to support community-based socioeconomic monitoring programs.

An important aspect of the ongoing work of the SESC is to hold monthly discussions with Trans Mountain Corporation regarding predetermined socioeconomic indicators. The indicators were co-developed between the SESC and Trans Mountain Corporation in 2019, and are meant to address what was identified by Indigenous Caucus members as a gap related to Indigenous-specific socioeconomic effects indicators related to TEMP. Each month, members of the SESC are able to make specific queries of Trans Mountain Corporation as an aspect of increasing Indigenous participation in the oversight of TMEP's Socioeconomic Effects Monitoring Plan (SEEMP). These discussions focus on matters such as procurement, employment and training, and temporary workforce accommodation. The SESC's collaborations with Trans Mountain over the past three years has led to some improvements, an example of which is that Trans Mountain Corporation is now collecting gender disaggregated data pertaining to Indigenous employment and training.



Animated Video - The SESC developed an animated video designed to increase awareness of the socioeconomic risks associated with major resource development and the importance of Indigenous community-based monitoring.

Looking Ahead

In the year ahead, the SESC will continue to work in partnership with Indigenous communities, the federal government, Trans Mountain Corporation and other partners to enhance oversight related to Indigenous social, economic, cultural, and health and wellbeing interests. The SESC also has plans to advance work associated with documenting wise practices and lessons learned from work undertaken in our first few years, including for the purpose of providing advice to government for consideration in future projects, such as through the CER Onshore Pipeline Regulations and Filing Manual reviews. Our work in the current year will also continue to inform other federal commitments, including those specifically related to MMIWG and gender-based violence.



A key priority for the SESC in 2022-23 is to continue working with and supporting Indigenous communities through building upon their strengths in the area of regional and community-based monitoring of socioeconomic effects and risks. This will include continued support of the SESC's regional initiatives, including strategic planning and discussions focused on the sustainability of the initiatives beyond TEMP. The SESC will also continue to carry out research focused on priority areas identified through the SESC and its regional initiatives, and which builds upon research previously conducted. The SESC will also continue to support opportunities for capacity development in the field of socioeconomic effects monitoring through targeted training opportunities.

With construction set to complete in late 2023, and with the existing line continuing to operate, the SESC has begun to consider social, economic, cultural, and health and wellbeing impacts associated with the post-construction phase of TMEP. In addition to continuing to advance efforts in the areas described above, the SESC looks to collaborate with and support the Marine Shipping Subcommittee in regards to the identification and monitoring of social, economic, cultural and health and wellbeing impacts in the marine environment.

"The SESC would like to thank everyone who contributed to this work over the past year. We look forward to continuing to strengthen our relationships as we advance this important work and proceed to think about advice to government as it relates to socioeconomic, cultural, health and well-being impacts from resources projects on communities."

TRACY FRIEDEL Chair, Socioeconomic Subcommittee

Emergency Management Subcommittee

In January 2021 the Emergency Program Manager Position was filled with Jeff Eustache from the Simpcw First Nation who was brought on as the Emergency Program Manager supporting the Emergency Management Subcommittee through the NRCAN secretariat.

In March 2018 the Emergency Management Working Group (EMWG) was formed and in April 2021 the Emergency Management Working Group approved their Terms of Reference that changed structure from a working group to the Emergency Management Subcommittee (EMSC).

The Emergency Management Subcommittee also finalized the 2021–22 EMSC work plan and budget with the following proposed key activities for the year:

1. Initiate Engagement Plan with Indigenous Communities, Trans Mountain Corporation (TMC), Canada Energy Regulator (CER) and other agencies.

Desired outcomes:

- Increased awareness of Indigenous Advisory Committee (IAMC) - EMSC
- Increase participation of indigenous youth with IAMC – EMSC and programs training
- Increase participation of indigenous communities with IAMC programs and accessing funds
- Support Alberta Indigenous Communities Emergency Management capacity needs



2. Activity description - Training/Workshops -Develop and deliver a series of training workshops.

Desired outcomes:

- Increase capacity, training within Indigenous communities within Emergency Management (EM).
- Developed tiered approach for capacity/skills development for EM.
- Identification of training requirements & Personal Protective Equipment (PPE).
- Identify process/procedures for community's engagement to respond and engage pre, during and post emergency events.

3. Review key CER and TMC policies involving emergency management, and provide advice: Desired outcomes:

- Identification or awareness of potential risk and environmental factors involved in event and associated health and safety considerations.
- Assist communities for preparation, planning and organization to engage with TMX, CER, IAMC Indigenous Monitors.

4. Participation in Exercises - TMC, CER

Desired outcomes:

• Identified opportunities for inclusion into exercise and training re spill response, recovery.



• IAMC - EMSC gain capacity and understanding of table top, virtual exercises regarding spill response.

5. Activity description - Relationship with Marine Shipping Subcommittee

Desired outcomes:

• Maintained communications and engagement with MSSC on Emergency Management.

EMSC 2021-22 work plan activities implemented:

1. Initiate Engagement Plan with Indigenous Communities, TMC, CER and other agencies.

- 3 three day regional engagement sessions were completed - Alberta Region June 22nd - 24th, 2021, BC Interior July 13th, - 15th, 2021 and Coastal Aug 3rd, - 5th, 2021.
- Very successful and beneficial events with an average of 25-65 participants
- Assisted with identification of community priorities and capacity gaps within emergency management planning, and training needs.
- Initiate Engagement Plan with Indigenous Communities, TMC, CER and other agencies Day 1 of each regional engagement session.

Follow up planning for detailed work in process through EMSC.

2. Training/Workshops - Develop and deliver a series of training workshops.

- Proposals have been submitted for Alberta, Vancouver Island, Coastal/Lower Mainland and the BC Interior for the implementation of capacity gaps and training from Behr Integrated Solutions Inc., Emergency Planning Secretariat – Lower Fraser Fisheries Alliance and Ram Environmental.
- Regional training and emergency management work shops approved.
- Line Wide Gathering support through Emergency Management section, community gaps assessment and identified of priority training needs.

3. Participation in Exercises - TMC, CER

- May 27, 2022 Simpcw participated in North Thompson Deployment exercise, limited numbers able to attend, at Blackpool Boat Launch site, hosted by TMC
- Participated in full scale emergency response exercise for Trans Mountain's Westridge Marine Terminal and other emergency response drills and activities for the Trans Mountain pipeline.

4. Relationship with Marine Shipping Subcommittee

• Initial planning in place for interactive networking and information's sharing between subcommittees planned.

Conference and events:

• In August 2021 EMSC Chair Tina Donald present virtually at the Clean Pacific Conference, providing an overview of IAMC and the EMSC.

Call for Proposals (CFP):

• The Emergency Management funding stream received 31 CFP applications with \$1,541,477 under consideration.

Continuous Funding Program:

• The Emergency Management funding stream received 8 applications with \$1,278,579 under consideration.

Marine Shipping Subcommittee

Continued Community Outreach

The Marine Shipping Subcommittee is committed to the stewardship and protection of the marine environment from the Western Approach to the Westridge Marine Terminal regarding the shipping activities related to the TMX project and existing pipeline. This regional geographic area represents 33 First Nation communities.

Over the past year, the Marine Shipping Subcommittee has continued to focus on Tier 1 community outreach to:

- Share information about the IAMC-TMX and Marine Shipping Subcommittee
- Identify interest from communities of their participation level and how to connect with them
- Understanding communities' issues with regards to marine shipping
- Created opportunities to have open dialogue around these issues
- Increase membership of Marine Shipping Subcommittee
- Present and discuss what an upcoming pilot project might look like
- Learn about and share marine monitoring initiatives in communities

The Marine Shipping Subcommittee successfully held eight virtual meetings with representatives from 20 of the 33 communities along the marine shipping route.

Feedback provided through the Tier 1 engagement sessions focused on four key themes related to marine shipping:

- Concerns regarding tankers in marine waterways.
- 2. Concerns regarding bilging in marine waterways.

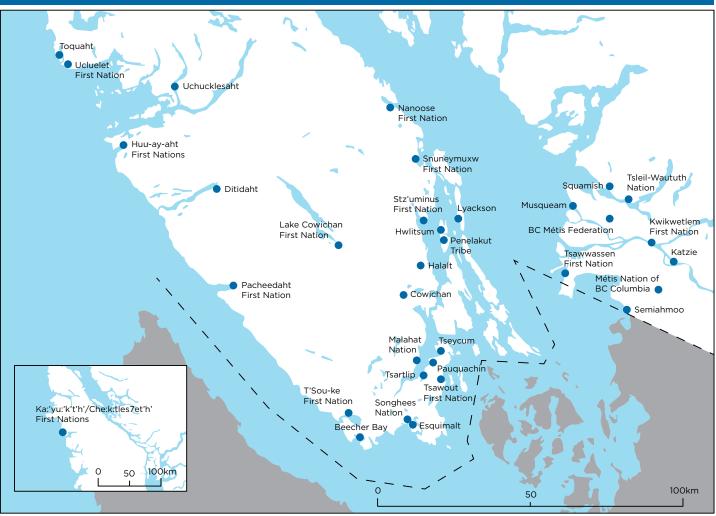
- 3. The need to bridge gaps and silos in Federal and Provincial Departments.
- 4. Protecting Cultural Sites and exercise of harvesting rights and generational sharing of cultural knowledge.

Another successful component of the work this year was the Annual Line Wide gathering, held virtually on November 9 and 10, 2021. The event provided the opportunity for the subcommittee to share the work being conducted, and receive feedback regarding how to better interact with Indigenous communities in marine monitoring and shipping. The workshop included an Elders panel where Elder Vern Jack shared his thoughts on true reconciliation: "by directly involving First Nations, this provides opportunities and capacity to do meaningful work toward true reconciliation."

As part of the Marine Shipping Subcommittee presentation at the Line Wide Gathering, a film called Finding the Balance was shared. The film was a successful partnership with four First Nations communities, funded through the Marine Shipping Subcommittee. The film tells the story of youth from Songhees Nation, Scia'new First Nation (Beecher Bay), T'Sou-ke Nation and Esquimalt Nation who embarked on a journey to become certified divers. Through their journey, they built their understanding of the marine ecosystem. The film emphasizes the importance of the youth in sustaining the marine environment for generations to come. The film was well received by all attendees.

As an outcome of Tier 1 engagements, several communities shared interest in joining the Marine Shipping Subcommittee. The subcommittee is currently evaluating the potential to add new members going forward.

Proposed Trans Mountain Pipeline Expansion Project - Marine



Funding Opportunities

The Capacity Funding Program's objective is to increase Indigenous participation in the Trans Mountain Expansion (TMX) Project and existing pipeline and to enable Indigenous groups to be more directly involved. The program is targeted at addressing the priorities of the Committee and the potentially impacted Indigenous communities related to Stewardship, Protection, and Meaningful Participation.

In 2021-22, the Marine Shipping Subcommittee approved eight proposals through the Call for Proposals and one proposal through the Continuous Funding Program for a total of \$461,736. Proposal focus areas include: planning activities, equipment purchase, training, and skills development. These projects will support Indigenous communities in better understanding the marine environment through gathering scientific data as well as capturing traditional, cultural oral history/ science from Knowledge Keepers therefore creating stronger capacity as stewards of the oral stories, traditions, and knowledge, which will in turn grow community's capacity in stewarding their marine environment. They also provide funding for equipment to better preserve and monitor the marine environment. Furthermore, the continued collaboration and engagement between Indigenous communities and the marine-focused Federal departments assists in the development of trust and confidence. The Marine Shipping Subcommittee also funded two projects related to gaining more information to support the scoping of a marine shipping monitoring pilot program; the Multi Nation Environmental Monitoring Collaboration and the LGL Bivalve Study.

The Multi Nation Environmental Monitoring Collaboration is the continuation of a project previously approved. It seeks to establish collaborative, inclusive, and meaningful participation in monitoring environmental and safety issues related to TMX throughout its lifecycle. The project brings together three First Nations (Scia'new First Nation (Beecher Bay), T'Sou-ke Nation and Esquimalt Nation) on the southern coast of Vancouver Island whose traditional territory and traditional land/marine use are all potentially affected by TMX and marine shipping in general. The project will train eight divers in Unrestricted Surface Supply to support marine monitoring and associated activities. This training will also support local communities in data collection to form baseline data and other activities associated with the effects of marine shipping traffic in our local territorial waters.

The LGL Bivalve Study will bring together the 33 coastal nations with information sharing and an objective to compile and describe, in a metadatabase and report, all western science and Indigenous Knowledge for bivalves in the geographic scope of the Salish Sea. It will also identify future stewardship and research needs for the participating First Nations. The participating First Nations will also prepare a georeferenced database with the data acquired during the project.



Looking Ahead

The Marine Shipping Subcommittee looks forward to continuing their work with the marine Indigenous communities; to gathering information to better understand the issues they face regarding impacts of marine shipping.

Some of this work will involve Tier 1 engagement, especially with local Chiefs and Councils, regarding the issues and concerns expressed by the technical experts of their communities.

In addition, Tier 2 engagements will be held to allow federal partners to hear first hand the priority areas of community and learn of their experiences in marine monitoring, and discuss, plan, and implement, a marine monitoring pilot project. "As chair of the MSSC, I acknowledge we've had a tough year. However, I am amazed and inspired by the desire and will to work through those issues. We continue to come to the table and address the work at hand. I look forward to a productive year ahead."

CARLEEN THOMAS Chair, Marine Shipping Subcommittee

In the coming months, the subcommittee intends to finalize their Terms of Reference to outline its mandate and direction. The Marine Shipping Subcommittee also plans to conduct a visioning exercise to reflect on what is working and what is not working for Marine Shipping Subcommittee members and help inform the work plan for next fiscal year.



Operations Subcommittee



The Operations Subcommittee was formed in 2020 as a merger of the Grants and Contributions Subcommittee and the Engagement Subcommittee. The subcommittee focuses primarily on three streams of work: communications and engagement, operational functions and finance (grants and contributions). Subcommittee membership is comprised of both the IAMC-TMX Co-Chairs, the CER representative, Chairs from each of the IAMC-TMX subcommittees, an IAMC-TMX member-at-large and the Indigenous Caucus Director.

Engagement with Indigenous communities

The largest engagement platform for the Committee is the annual Line Wide Gathering. This year it was held virtually on November 9th and 10th, 2021. The main goal of the gathering is to update Indigenous communities along the pipeline route on both the work the Committee has completed over the past year and its plans and priorities as it moves forward and to hear from communities about their interests and concerns to inform the IAMC-TMX's work.

For the second year in a row, it was hosted in a virtual setting as a result of the ongoing COVID-19 pandemic. The event was chaired by Stó:lō Tribal Chief Tyrone McNeil and was attended by 170 participants representing 66 of the 129 Indigenous communities along the pipeline corridor. A key theme during the event was the renewal of our original five-year mandate and highlights included a leadership panel and an Elders Panel, which was new this year.

Operational Functions

One of the subcommittee's main functions is planning the regular Committee meetings. The first in-person meeting in two years took place in Vancouver on March 30–31 on the unceded traditional territories of the Musqueam, Squamish and Tsleil-Waututh Nations. The meeting was highlighted by a traditional brushing-off ceremony to ground our work together in a good way.

Grants and Contributions

Despite natural disasters and a global pandemic this is the first time in its five-year mandate that IAMC-TMX has expended 100% of its funds. This success is attributed to increased outreach from the Committee, innovation in the distribution of funds and an increased confidence from in Indigenous communities in the program.

A Call for Proposals (CFP) stream was established to streamline the process, which allowed applications under \$50,000 to streamline funding to communities. Areas of focus were Emergency Management, Indigenous Monitoring, Socioeconomic and Marine Shipping.

There were 77 projects funded under the CFP stream and 11 under Continuous Funding for a total of \$6,211,260 of funding flowing to Indigenous communities.

Indigenous Monitoring Policy Table

To address concerns raised by the Committee's Indigenous Caucus and to explore opportunities to meaningfully improve the system and practice of Indigenous monitoring, the IAMC-TMX Indigenous Caucus, Canada Energy Regulator (CER) and Trans Mountain formed the Indigenous Monitoring Policy Table (Policy Table) in 2019.

The table brings together representatives from these bodies to explore and co-develop improved practice for Indigenous monitoring, including assessing and developing changes to Indigenous monitoring programs for the Trans Mountain Expansion Project as well as operational policy and/or best practice for Indigenous monitoring that could be applied to future CER-regulated projects. It represented a new way of working together with a focus on pursuing regulatory and operational excellence and identifying areas for immediate action within the field of Indigenous Monitoring.



Achievements over the last year

In the 2021–2022 fiscal year, the Policy Table continued to advance the 23 short-term deliverables to improve Indigenous Monitoring in collaboration with the IAMC Indigenous Monitoring Subcommittee, including organizing regional workshops focused on Indigenous Knowledge, planning gatherings between IAMC-TMX Indigenous Monitors and CER Inspection Officers, and further identifying ways to improve collaboration. Three important progress achievements this year included a Community Profiles prototype, establishing a Discussion Forum Process, and co-designing a program for Indigenous Monitors to bridge into full-time roles with the CER as Regulatory Compliance Officers.

- Alongside the Indigenous Monitoring Subcommittee and Indigenous community representatives, the Policy Table initiated the co-development of a Community Profiles tool to ease access to publicly available Indigenous community information for IAMC-TMX Indigenous Monitors and CER Inspection Officers while in the field. A Community Profile prototype was developed, containing key community information and shared with IAMC Indigenous Monitors and CER Inspection Officers.
- A key short-term deliverable for the Policy Table was the establishment of a formal Discussion Forum to serve as a mechanism for issues that emerge during construction to be identified and discussed with a view to resolution. Over the past year, the Policy Table finalized and endorsed a Terms of Reference for this Discussion Forum Process outlining the procedures for joint discussion and issue management between Trans Mountain, the Committee's Indigenous Caucus and the CER on operational issues. The Terms of Reference includes a commitment to ongoing collaboration and consideration on how the

Discussion Forum Process could extend to include the operations of the pipeline.

• As recommended by the Policy Table and the Committee's Indigenous Caucus, the CER hired three Indigenous Monitors, from across Canada, as Regulatory Compliance Officers to advance the goals outlined in the CER's Indigenous Monitoring Bridging Program. These hires are the culmination of deep discussions at the Policy Table and the Indigenous Monitoring Subcommittee on training and role definition for IAMC-TMX Indigenous Monitors, CER Inspection Officers and Trans Mountain Corporation Environmental Inspectors, including with respect to use of Indigenous Knowledge. The Committee's Indigenous Caucus will continue to provide advice to the CER and Trans Mountain on their Bridging Programs.

In response to concerns and reports of incidences of disturbances to sites of Indigenous significance to the IAMC-TMX from Indigenous communities, the Policy Table collaborated to convene a series of workshops with representation from Trans Mountain Corporation, Indigenous Caucus and the CER. The result of these workshops was the development of an improved framework for future monitoring and oversight of sites of Indigenous significance, including a focus on enhanced training for Trans Mountain Indigenous Monitors and planned improvements for reporting of chance finds directly to Indigenous communities. The Indigenous Caucus will continue to identify opportunities to ensure protection of sites of Indigenous significance across all activities including working with the CER and Trans Mountain to implement and communicate the improved framework.

Beginning in April 2020, the Policy Table supported a COVID-19 Task Group to respond to concerns related to project safety during the COVID-19 pandemic. The Task Group built a common understanding of the roles and responsibilities of various regulators and agencies involved in public health and worker safety and identified and addressed risks specific to Indigenous communities. Through this work, joint inspections were adapted to be COVID safe, and a workshop was conducted with IAMC-TMX Indigenous Caucus, and federal and provincial regulators to inform key improvements to Trans Mountain's COVID-19 measures and plans. The COVID-19 Task Group was closed in the summer of 2021 as it was determined that safety and issues related to COVID-19 were being appropriately addressed by all IAMC-TMX subcommittees.

Looking Forward

Addressing policy gaps and practice improvements related to Indigenous Monitoring is complex and challenging. Representatives from the Committee's Indigenous Caucus, CER, and Trans Mountain met regularly to advance the work of the Policy Table and work closely with the Indigenous Monitoring Subcommittee to make progress on the short-term deliverables identified in the Indigenous Monitoring Co-Development Initiative Framework. Policy Table members faced competing demands in 2021-22, supporting IAMC-TMX renewal and addressing COVID-19 concerns, and recognize that many substantive discussions are still required to address improvements in Indigenous Monitoring. Over the next year, the Policy Table will identify work remaining to carry out the short-term deliverables and further progress in meeting shared improvement goals, including with respect to participation and engagement, integration and use of Indigenous Knowledge, transparency, and opportunities to manage Indigenous concerns from a risk perspective.

Funding Programs

The year 2021–22 will be remembered for the success of the IAMC-TMX's Call for Proposals and continuous funding programs through which eligible Indigenous communities along the route were able to access funding for projects related to TMX. In total, 88 projects were approved total-ling \$6.21 million from four streams: Emergency Management (39), Indigenous Monitoring (29), Marine Shipping (9) and Socioeconomic Effects (11). The continuous funding program, called the Capacity Funding Program, was targeted to address the priorities of the Committee and the 129 potentially impacted Indigenous communities related to Stewardship, Protection, and Meaningful Participation.

Here are examples of some of the projects.

- Seven Generations Environmental Services, BC - \$149,999 to enhance Indigenous monitoring and environmental management to support Indigenous monitors to safely conduct fieldwork by purchasing equipment and providing training for capacity building, which includes participation in TMX project monitoring activities. Seven Generations Environmental is an Indigenous owned and operated environmental services company equally shared by six Stó:lō First Nation Communities.
- Skwah (Sqwá) First Nation, BC \$149,999 to house an Emergency Operations Center and purchase equipment to help protect Skwah (Sqwá) First Nation's forested and residential areas from emergencies such as fires or potential impacts of the TMX project. The addition of infrastructure to Skwah (Sqwá) First Nation's sweat lodge grounds enhances their capacity to restore balance and harmony related to any adverse socioeconomic impacts of TMX with traditional ceremonies open to Indigenous and non-Indigenous people.



- Louis Bull Tribe, AB \$49,999 to expand an Indigenous Knowledge Training program for Louis Bull Tribe Indigenous Monitors who participate in various monitoring programs.
 Louis Bull Tribe is protecting and upholding Indigenous values and Natural law with the goal of having a holistic understanding of their territory and the impacts within it as stewards of the land. Louis Bull Tribe is building their governmental capacity and ability to monitor projects such as the TMX project to improve consultation and greater protect their rights should unforeseen impact be identified.
- Lyackson First Nation, BC \$49,999 to support emergency response and preparedness in the event of a crisis such as a TMXlinked marine incident. This funding will cover capital purchases for marine emergency response equipment (drone, quad, trailer with water tank, pump and firehouse and mooring buoy) to support emergency management on Valdes Island. Having access to a Quad with an equipment bed will allow faster response times in an emergency. In addition, a Quad and Quad trailer will transport equipment to remote foreshore areas of the island. Having a mooring buoy at the Shingle Point reserve will help with quicker response times. Finally, a drone would allow monitoring, tracking and responding early to any marine emergency.



IAMC-TMX Five Year Budget Profile^[1]: \$39M

| Fiscal Year | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | TOTAL |
|-------------|---------|---------|---------|---------|---------|---------------------|-------|
| Budget | \$5M | \$11M | \$11M | \$9/6M | \$6M | | \$39M |
| Commitments | \$2.3M | \$4.7M | \$7M | \$9M | \$8M | \$8M ^[2] | \$39M |

Notes:

^[1] Initial IAMC-TMX budget over 5-years was \$42M. \$3M was lapsed in 2020–21, bringing the overall budget to \$39M.

^[2] \$8M was allocated in 2021-2022 and an additional \$8M of funding from that year remains to be allocated.







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