

DAY 1: JUNE 26, 2019

ITEM: WELCOME, OVERVIEW & OPENING

Discussion:

- Chief Harvey McLeod opened the meeting with a welcome to the territory.
- Local drummers performed a traditional Okanagan welcoming song, and a Coyote Horse riding song.
- An Elder gave an opening prayer to start the day in a good way.

Decisions:

- The Record of Decision from May 22, 2019 was approved with one amendment:
 - That the description of the NEB update listed under Other Business be corrected to: *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. If the legislation is passed, this new governance structure may impact the Trans Mountain Expansion project regulatory processes because the NEB will 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.*

ITEM: REPORT FROM INDIGENOUS CAUCUS MEETING

Discussion:

- The Indigenous Caucus met for a full day on June 25, 2019
- The member for Vancouver Island – Western Approach (Kristine Pearson) identified an alternate member, Bear Charlie, who already sits on the Indigenous Monitoring Subcommittee.
- The Caucus is developing a submission in response to the Government of Canada *Indigenous Knowledge Discussion Paper* and invites government engagement on the piece.
- The Caucus discussed staffing and resources, and added an agenda item to cover this topic with the full Committee.

ITEM: PROJECT DECISION AND NEXT STEPS

Discussion:

- The Committee discussed the project decision with guests from the Phase 3 Consultation Task Team and MPMO.
- Several Indigenous Caucus members shared their Phase 3 Consultation experiences from their Nations' perspectives and were critical of the process.
- The Indigenous Caucus as a whole expressed gratitude for the effort of the Federal departments to engage with their draft advice, but frustration and disappointment that much of their advice on Indigenous Monitoring was not taken up in the decision. Jeff Labonte, MPMO, suggested that the conditions and recommendations were not the most appropriate venue to address some of the advice, and indicated NRCan would explore further engagement with the IAMC on monitoring.
- Legal counsel for the Indigenous Caucus expressed concern with the NEB's proposed process, specifically with respect to accepting filings and decisions that had been approved before the Federal Court of Appeal quashed the original CPCN. Legal counsel for the NEB suggested that the Indigenous Caucus submit these concerns to the board through the official process.

Action Items:

- **Samantha Maislin Dixon**, NRCAN, undertook to follow up to:
 - Clarify the definition of Indigenous Groups used in the OIC. The Caucus asked specifically whether the IAMC falls within the definition.
 - Provide a breakdown of the \$750 million for implementing the Accommodation Measures
 - As implementation progresses, provide further information about how the Accommodation Measures will be coordinated and co-developed.

ITEM: TERMS OF REFERENCE REVIEW

Discussion:

- The first step of the Terms of Reference (ToR) review was to hire a Consultant to perform interviews regarding early learnings, participation in monitoring, and issues for consideration in the review (as outlined in the ToR).
- The Consultant provided a brief presentation via teleconference on their preliminary observations, which included:
 - Many of the issues raised by interviewees were related to operational aspects of the Committee, rather than issues with the ToR.
 - Most interviewees felt activities to date are beginning to show positive impact, but that it was premature to conclude that the Committee is having “measureable positive impact” on Indigenous monitoring/participation in the project.
- The Consultant is completing interviews and will be circulating material for Committee review and more in depth discussion at future meetings.
- The Government Co-Chair tabled and the Committee discussed the updated Crown Consultation list, which is the list of communities eligible to participate in the IAMC initiative. Caucus Members had some specific questions about the list and how it was developed. The information will be brought back as soon as it is available.
- At the next meeting, the Committee will discuss which IAMC regions the new communities are to be added to.

Action Items:

- **The Secretariat** to distribute material from the Consultant to Committee members.
- **Naina Sloan (NRCAN member)** to seek information on how Annex A was developed and provide to Committee members.

ITEM: INDIGENOUS MONITORING PROGRAM UPDATE

Discussion:

- In Spring of 2019, the IAMC issued a call for expressions of interest seeking partner communities or organizations to deliver the IAMC Indigenous Monitoring Program. There were 22 expressions of interest, of which 19 were from eligible communities or organizations.
- In June and early July of 2019, IAMC staff and members met with applicants in 6 regional information sessions. The objective of the sessions was to build a common understanding of the scope and purpose of the IAMC Indigenous Monitoring Program, and receive input from Indigenous communities on their preferred structure of the Program in their region.
- It was noted that to meaningfully involve all 19 of the eligible organizations in the estimated 100 inspections, some collaboration will be required. During engagement, most Indigenous groups were open to collaboration and discussed several options.
- Hiring a Program Manager was identified as a priority.
- The Implementation Working Group plans to complete its engagement and provide recommendations to the Committee on program structure at the July Committee meeting.
- Ray Cardinal, Chair of the Indigenous Monitoring Subcommittee (IMSC), provided the Committee a brief overview of the IMSC participation in an Operations Inspection at the North Thompson

River crossing. Ray noted it was the first time the IAMC participated in this type of inspection, and that it was a valuable experience for Indigenous monitors to learn about what the different regulators (NEB and DFO) do, and what they are looking for in inspections.

- Ray Cardinal also highlighted that the IAMC is having a positive impact on Indigenous participation in regulatory activities beyond TMX. After observing the IAMC-TMX monitors accompanying the NEB on inspections, the Alberta Energy Regulator (AER) is also developing a monitoring program.

ITEM: ANNUAL REPORT

Discussion:

- At the May 2019 Committee meeting, the draft Annual Report for 2017-2019 was discussed and feedback provided by Committee members. The Secretariat revised the draft based on this feedback, and distributed the revised draft for a final review period.
- Committee members were asked to provide any final feedback by end of day June 27th, 2019.

Decisions:

- **The Committee** approved the draft Annual Report content and design, subject to final review by Legal Counsel Tim Dickson, Alternate Member Ron Minks, Communications Manager Walter Quinlan, and Co-Chair Naina Sloan.

Action Items:

- **The Secretariat** to revise the draft with any additional feedback received, and provide to Tim Dickson, Ron Minks, Walter Quinlan, and Naina Sloan for final review.

ITEM: OTHER BUSINESS

Discussion:

- Cheryl Webb, Member for DFO, notified the Committee about an emerging issue on the Fraser River: a rock slide created a barrier to fish passage, and DFO was in the process of reaching out to individual communities.

DAY 1 ADJOURNED

DAY 2: JUNE 27, 2019

ITEM: COMMITTEE AND CAUCUS STAFF AND RESOURCING

Discussion:

- The Committee recused all staff from the discussion.
- The Committee discussed staffing and resources to meet both their short term and longer term objectives.
- The Committee identified a need to clearly define management/reporting relationships in the short term in order for Committee resources and programs to be managed effectively, as well as in the long term for any new Committee positions.
- Committee members noted staff fatigue and identified a need to commit to staff wellness, and suggested a wellness or relationship building day.

Decisions:

- The Committee made the following decisions with respect to staffing and resources:
 - Provide additional resources to the Caucus to enable it to hire a Caucus Director.
 - Fill vacant Secretariat positions

- Consider creating an interim position of Committee Director within the Secretariat to manage Committee business/priorities while larger questions regarding organizational vision/structure are pursued.
- Organize a “visioning workshop” or other opportunity to reflect and consider what members wish to achieve with the Committee in the medium to long-term.
- Procure/engage a consultant to undertake research on organizational design and implementation models

Action Items:

- **Secretariat** to organize a meeting of the Committee Resourcing Working Group.

Re: Caucus Director:

- **Indigenous Caucus** to provide overview of role and duties, and amount to be allocated for the Caucus Director to Secretariat.
- **Secretariat** to write up rationale for proceeding in advance of ToR changes (with input from Caucus) and provide to federal members to brief senior officials;
- **Committee** to allocate funding.

Re: Vacant Secretariat Positions

- **Government Co-chair** to involve Committee/Subcommittee Co-Chairs in relevant Secretariat staffing processes.

Re: Committee Director

- To be discussed/defined further

Re: Visioning Workshop

- To be discussed/defined further

Re: Research on Organizational Design

- To be discussed/defined further.

ITEM: COMMITTEE AND SUBCOMMITTEE OPERATIONS

Discussion:

- The Committee discussed a Capacity Funding proposal from Simpcw First Nation to complete a Cottonwood Ecosystems and Species at Risk Study. The proposed project would include a review of existing data on Cottonwood Ecosystems, and related key species, mapping/surveys design, habitat surveys, wildlife inventories, habitat mapping, and reporting.

Decisions:

- The Committee approved \$500,000 the Simpcw First Nation proposal to complete a Cottonwood Ecosystems and Species at Risk Study.
- The Committee approved that Tribal Chief Tyrone McNeil be added as a member to the Socioeconomic Subcommittee.

ITEM: REFLECTIONS ON THE NATIONAL INQUIRY INTO MMIWG FINAL REPORT

Discussion:

- Tracy Friedel, Co-Chair of the Socioeconomic Subcommittee, provided an overview of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and the links between the work of the IAMC and the Calls for Justice in the Final Report.
- The most relevant Calls for Justice are:
 - 13.1. We call upon all resource-extraction and development industries to consider the safety and security of Indigenous women, girls, and 2SLGBTQQIA people, as well as

their equitable benefit from development, at all stages of project planning, assessment, implementation, management, and monitoring.

- 13.4. We call upon the federal, provincial, and territorial governments to fund further inquiries and studies in order to better understand the relationship between resource extraction and other development projects and violence against Indigenous women, girls, and 2SLGBTQQIA people...
- 13.5. We call upon resource-extraction and development industries and all governments and service providers to anticipate and recognize increased demand on social infrastructure because of development projects and resource extraction, and for mitigation measures to be identified as part of the planning and approval process. Social infrastructure must be expanded and service capacity built to meet the anticipated needs of the host communities in advance of the start of projects. This includes but is not limited to ensuring that policing, social services, and health services are adequately staffed and resourced.
- The IAMC is conducting a Work Camps Study to examine impacts of work camps / influx of temporary workers on Indigenous communities, particularly on Indigenous women and girls, and work with communities to advance strategies aimed at reducing negative impacts.
- After the presentation, the Committee participated in a ceremony to honour the missing and murdered Indigenous women and girls, commemorate the release and reflect on the National Inquiry's Final Report, and acknowledge the work that went into creating the report.

Meeting Adjourned

PARTICIPANTS

IAMC-TMX Members:

- Tracy Friedel (Alberta Métis)
- Chief Marcel Shackelly (Mid-Fraser/Thompson)
- Chief Harvey McLeod (Okanagan)
- Raymond Cardinal (Alberta First Nations)
- Kristine Pearson (Vancouver Island – Western Approach)
- Trina Sxwth'ult'xw (Vancouver Island – Southeast)
- Carleen Thomas (Burrard Inlet/Lower Fraser)
- Chief Russell Chipps (Vancouver Island – South)
- George Lampreau (BC Interior)
- Tribal Chief Colin Pennier (Fraser Valley) (by phone)
- Naina Sloan (Natural Resources Canada)
- Brian Chambers (National Energy Board)
- Ian Chatwell (Transport Canada)
- David Heap (Canadian Coast Guard)
- Cheryl Webb (Department of Fisheries and Oceans)
- Garth Mullins (Environment and Climate Change Canada)

Invited Guests:

- Samantha Dickson, NRCan
- Deborah Corber, NRCan
- Angie Bruce, NRCan
- Mitch Taylor, NRCan
- Jeff Labonte, NRCan (by phone)
- Asad Chaudary, NEB (by phone)
- Laura Harper, NEB (by phone)

Observers:

- Tribal Chief Tyrone McNeil (Stó:lō Tribal Council)
- Chief Robert Gladstone (Shxw̓ha:y Village)

Regrets:

- Michelle Wilsdon (Alberta First Nations)

Support:

- Cathy Chalupa (Natural Resources Canada's Indigenous Partnerships Office – West (IPO-W))
- Twyla Smith (IPO-W)
- Anthony Cotter (IPO-W)
- Sandia Wu (IPO-W)
- Debora Stone (IPO-W) (by phone)
- Maxine Trennert (Regional Engagement Coordinator)

Indigenous Caucus Staff:

- Kyle Robertson (Technical Advisor)
- Walter Quinlan (Communications Manager)

Other Participants:

- Tim Dickson (JFK Law)