

2019 LINE WIDE GATHERING

A Report on What Was Heard from Indigenous Participants



Indigenous Advisory and Monitoring Committee

Trans Mountain Expansion and Existing Pipeline

March 2020

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Message from the Co-Chairs

Láw | ĆENÁ | Nú | Deey | čáčim hihak kʷaa | ʔéx kʷ n̓ | Weyt-kp | Kalhwá7acw

gwetaʔaghunt'l | Hadih | Way' | Tansi | Āba wathtech | Aaniin | Dadanast'ada | Tawnshi

We are pleased to present this report from the 2019 Line Wide Gathering held on the Syilx Okanagan Nation Territory. We are incredibly grateful to Elder Wilfred Barnes from West Bank First Nation and Chief Harvey McLeod from the Upper Nicola Indian Band for the warm welcome to the Syilx Territory.

On November 13th and 14th 2019, the Indigenous Advisory and Monitoring Committee for the Trans Mountain Expansion and Existing Pipeline (IAMC-TMX) hosted its second annual Line Wide Gathering. Chaired by Stó:lō Tribal Chief Tyrone McNeil, one purpose of the Gathering was to update the Indigenous communities along the pipeline route on the work the Committee has completed over the past year and our plans and priorities as we move forward. The other purpose was to hear from communities about their interests and concerns to inform our work.

We were so pleased with the wonderful turnout of about 150 participants representing 61 communities, several federal departments or agencies, and the Canada Energy Regulator (CER). We want to extend our sincerest thanks to all those who took the time to join us at the Gathering.

Discussions during the event were structured around the IAMC-TMX's three priorities:

1. Indigenous Monitoring;
2. Emergency Management; and
3. Work Camps and the Influx of Temporary Workers.

We provided updates on our work in these areas, followed by facilitated sessions to receive your feedback. Last year, you told us you wanted to hear from communities that are involved with the Committee, so we also included presentations from communities, including Stó:lō Tribal Council and Simpcw First Nation.

On day two, participants heard from Chief McLeod (Okanagan Region), Chief Chipps (Vancouver Island Region), Chief Gladstone (Fraser Valley Region), Chief Shackelly (Mid-Fraser/Thompson Region), Glenn Hargrove (Natural Resource Canada) and Peter Watson (Canadian Energy Regulator - CER) during the Leadership Panel. The panelists commented about the importance of continuing to invest in building trust and relationships; identifying common interests and issues; working together in new ways through co-development of priorities and policies; and the importance of persistence.



The IAMC-TMX also made space for federal guests to provide information on topics of interest to you, including Economic Participation, hosted by Finance Canada; and Terrestrial Cumulative Effects, hosted by Environment and Climate Change Canada, Fisheries and Oceans Canada and Natural Resources Canada. These sessions were well attended and had very active questions and answers sessions.

Most importantly, we received valuable observations, insights and recommendations from you throughout the two-day Gathering. In particular, we heard that **ensuring appropriate representation** by communities in the work of the Committee, and that **communications and engagement with communities**, should be a key focus for the committee moving forward. There were recommendations from participants that the committee have more face-to-face engagement with communities going forward, and diversify the means by which we communicate with communities along the pipeline and marine corridors. This feedback, as well as all of the other contributions made by participants, will help guide our work and shape our 2020 Line Wide Gathering.

Thank you again for joining us at the 2019 Line Wide Gathering. We look forward to seeing you at the 2020 Line Wide Gathering; we will be providing more information on this shortly.

Sincerely,

Michelle Wilsdon
Interim Indigenous Co-Chair
IAMC-TMX

Naina Sloan
Federal Co-Chair
IAMC-TMX

To learn more about us, please visit:

www.iamc-tmx.com

www.facebook.com/iamc.tmx

www.twitter.com/iamc_tmx

Acknowledgements

Yalh yexw kw'es hoy Thank you to Elder Wilfred Barnes from West Bank First Nation and Chief Harvey McLeod from the Upper Nicola Indian Band for the warm welcome to the 2019 Line Wide Gathering hosted in Syilx territory. Our sincere appreciation to Tribal Chief Tyrone McNeil for Chairing the Gathering, your voice and words of wisdom contributed greatly to the event.

Thank you to the representatives from the following communities and organizations who accepted our invitation to the 2019 Line Wide Gathering.

Alexander First Nation	Enoch Cree Nation	Saddle Lake Cree Nation
Alexander FN Industry Relations Corp	Esk'etemc First Nation	Samson Cree Nation
Alberta First Nation	Kanaka Bar Indian Band	Seabird Island Band
Alberta Métis	Katzie First Nation	Shackan Indian Band
Alexander First Nation	Kelly Lake Métis Settlement Soc.	Shxwha:y Village
Aitchelitz First Nation	Kwantlen First Nation	Simpcw First Nation
Alexis Nakota Sioux Nation	Kwikwetlem First Nation	Skawahlook First Nation
Aseniwuche Winewak Nation	Lac Ste. Anne Métis	Skwah First Nation
BC Métis Federation	Louis Bull Tribe	Sto:lo Tribal Council
Bear Paw First Nation	Lyackson First Nation	Stoney Nakoda Nation
Bonaparte Indian Band	Métis Regional Council. Zone IV	Sts'ailes First Nation
Buffalo Lake Métis Settlement	Montana First Nation	Swan River First Nation
Canim Lake Band	Mountain Métis Nation Assoc.	Tsawwassen First Nation
Chiniki First Nation	Nanoose First Nation	Tseycum First Nation
Cheam First Nation	Nooaitch Indian Band	Wesley First Nation
Ditidaht First Nation	Papaschase First Nation	Whitefish Lake First Nation
East Prairie Métis Settlement	Pauquachin First Nation	



About the IAMC-TMX

The Committee brings together Indigenous and government representatives to provide advice to federal regulators and to monitor the 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 IAMC. The Committee's Terms of Reference (TOR), approved July 2017, was co-developed by Indigenous and federal government representatives and endorsed by the Chair of the CER and the Minister of NRCan. The TOR is the Committee's guiding document.

The IAMC-TMX includes 13 Indigenous representatives, selected from among the 129 potentially impacted communities along the TMX pipeline corridor and six senior representatives from Federal government departments and regulators who are involved in the TMX project. The mandate of the IAMC-TMX is to provide advice to regulators and to monitor the project and existing pipeline.

Members have a shared goal of safety and protection of environmental and Indigenous interests in the lands and water. Participation by an Indigenous community does not mean that it supports or opposes the project nor does it change the government's duty to consult or accommodate individual Indigenous communities, or diminish its obligations to comply with all applicable legal and regulatory requirements.

The Committee regularly meets with TMC on subjects important to Indigenous communities along the pipeline corridor and associated shipping lanes. These issues are related to monitoring, emergency managements and socio-economic interests.

The IAMC-TMX forms and oversees subcommittees to work on specific issues or regional concerns. The subcommittees undertake work that require more expertise or focus on a particular issue. There are currently five subcommittees and one working group:

- Indigenous Monitoring Subcommittee
- Marine Shipping Subcommittee
- Socioeconomic Subcommittee
- Grants and Contributions Subcommittee

The Secretariat for the IAMC- TMX is based out of the Natural Resources Canada's Indigenous Partnerships Office – West and provides a range of support services to the Committee. For more information about the IAMC-TMX, please visit our website at <https://iamc-tmx.com/>

- Engagement Subcommittee
- Emergency Management Working Group

2019 Line Wide Gathering

Elder Wilfred Barnes from West Bank First Nation and Chief Harvey McLeod from the Upper Nicola Indian Band welcomed over 130 participants representing 61 First Nations and Métis communities to Syilx territory (Kelowna) on November 13 -14, 2019, to participate in conversations with the IAMC-TMX. Chief Harvey McLeod paid tribute to the late George Saddleman who left a legacy of wisdom, passion, and leadership for building working relationships across nations.



The goal for the 2019 Line Wide Gathering was to create a space where meaningful and respectful dialogue and information sharing could take place. The focus and approach was to ensure that Indigenous community concerns, questions, experiences and perspectives could be captured in order to inform the work plans, priorities and future work of the committee.

Through Phase III consultations, 12 additional Indigenous communities and groups were added to the original list of 117 Indigenous communities for inclusion in consultation. The IAMC-TMX has included these communities to its [Terms of Reference](#) and this year the invitation was extended to the 129 communities.

Building on the feedback and what was learned from the 2018 Line Wide Gathering, dialogue conversations, and presentations over the two- days focused on four key areas:

- Indigenous Monitoring and Oversight
- Emergency Management
- Work camps and Temporary Workers
- Engagement with the Committee

Leadership representatives from the IAMC-TMX along with senior representatives from Natural Resources Canada (NRCan) and the Canada Energy Regulator (CER) shared their perspectives about a range of topics that include the work of

“There are many perspectives in the room , some are for, against or undecided about the project – this is a unique opportunity to bring all voices together to discuss – and hold people to a high standard of accountability - safeguards, environmental standards – opportunity to bring our values in to influence the process”

Tribal Chief Tyrone McNeil, Chair
2019 Line Wide Gathering

the IAMC-TMX, Indigenous Rights, the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and answered questions from the participants of the gathering.

Perspectives of Indigenous Leadership

Moderator – Michelle Wilsdon

Panelists: Chief Harvey McLeod, Chief Marcel Shackelly, Chief Russ Chipps, Chief Robert Gladstone, Peter Watson, Glenn Hargrove.

Leadership representatives from the IAMC-TMX along with senior representatives from NRCan and the CER shared their perspectives during a leadership panel about a range of topics that included the work of the Committee, Indigenous Rights, the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and questions from the participants.

Chiefs on the panel shared that they believe that in order to protect the waters and lands, they need to work together, with each other, and with government – they see the IAMC-TMX as a space to work on issues shared by communities, regardless of positions on the project.

The Committee is an opportunity to build bridges between Indigenous communities, government(s) and industry. This committee requires slow and steady persistence to build trust and support each other to create a large impact and influence other areas. The IAMC-TMX is an innovative way to work together via co-development, which will hopefully create a practice that can be applied to other projects (e.g. change operational policy at CER) to bring down silos (within government and communities). Implementing UNDRIP, Reconciliation and the BC Government 10 Principles as a framework for the work of the IAMC-TMX is complex, but important.

The following quotes are from the voices of the leaders who participated on the leadership panel during the Line Wide Gathering in Kelowna:

- Chief McLeod: “We see this as a way of engaging ourselves and having another door to the minister. To get our people working”
- Chief Chipps: “I am here to protect our people, our waters, this is an opportunity to speak about our issues, not be on the sidelines, I don’t want to be standing on the shorelines complaining if there’s a spill, this table is an opportunity to protect the next 7 generations”
- Peter Watson: “IAMC-TMX got created and I saw this as a huge blessing to involve everyone to be transparent – to be accountable to community about what we were doing and how”



- Glen Hargrove: “This committee is an example of reconciliation in action – I am happy to see diverse viewpoints and interests. We work in the spirit of reconciliation and co-development – to protect the environment and the people.”

“ I am here because I believe in self-determination”
Chief Gladstone

During the panel discussion, leaders were invited to share how the IAMC-TMX is working differently between Indigenous Communities, Government and Industry:

- Peter Watson: “We have spent more time developing relationships and trust. We are co-developing a new approach for indigenous monitoring and I want this to become the new standard for the other projects we oversee”.
- Glen Hargrove: “It is an opportunity to create momentum – innovative and generating results. Opportunity for this model being set to have influence in other areas”.
- Chief Shackelly: “We’re changing cultures, changing the way we do business, it takes time and persistence. Working with regulators through this work – slowly have seen shifts happening.”

What We Heard

The history and background of the IAMC-TMX was provided as well as an update on the work conducted by the Committee so far. Through a workshop approach, Subcommittees provided summary overviews of what has been accomplished in: Indigenous Monitoring and Oversight, Emergency Management, Work Camps and Influx of Temporary Worker and Engagement. The following key messages were heard from the participants over the course of the two days at the 2019 Line Wide Gathering who provided feedback and advice on each of the topic areas:

Key Themes

Inclusion and Involvement – Many First Nations communities and Métis organizations want to be at the Committee table and/or subcommittee tables. Communities want to be involved in the work and had lots of questions on how they could be involved in meaningful ways in:

- Co-development of priorities, and work plans;
- Integration of Indigenous Traditional Knowledge; and

- Inclusion in the monitoring program.

Improved Communication – Participants echoed the need for consistent communication to all groups, not only those directly involved in Committee/Subcommittee work, to achieve this, the participants recommended:

- Development of a communications plan what will facilitate information sharing between the Committee, communities, government and TMC;
- Increased communication so they can keep informed and can take advantage of opportunities to participate;
- Processes for information sharing and ensuring that communities can provide feedback to the committee (two-way information sharing); and
- Better communication and engagement with Indigenous Monitors (IM) and the monitoring program.

Increased Capacity –Strengthening community capacity across a broad spectrum of needs were identified by each of the communities:

- Some communities indicated that in order to have long-term benefits there was a need for improved and increased access to funding (beyond 2022);
- Many communities indicated that more information is needed about the availability and accessibility of capacity funding for training opportunities, and equipment; and
- Participants echoed the need for capacity funding and training to address difficult issues such as racism, discrimination, and protestors.

Representation – First Nations groups and Métis settlements indicated that representation should be reviewed going forward:

- New participants and new groups articulated the importance of catching up with the work of the Committee; and
- Expand engagement and representation to include Tribal Councils, Aboriginal Human Resources and Friendship Centers.

Priorities/Progress – Overall, there was good validation for priorities (monitoring, emergency management and work camps and the influx of temporary workers) and a sense that a lot of work has been accomplished, especially on monitoring.

Indigenous Monitoring and Oversight

Involve New Communities – Communities inquired about how they can be involved in Indigenous Monitoring and Oversight and what mechanisms are in place to address the varied capacities of communities.

Monitor Training – Participants expressed the need for information regarding the financial support available through the IAMC-TMX Grants and Contributions program for monitor training. Feedback from participants during this session included the need for training to consider/include community specific concerns, Elder support and transfer of knowledge and engagement with communities and Elders so that youth can learn from Elders. During the dialogue about Indigenous knowledge, participants explained that Elders may identify cultural and heritage resources and sacred sites. Key feedback from participants in this session include the need for long-term monitoring beyond/after construction and the development of transferrable skills for future employment and discussion of return on investments.

Cumulative/Environmental Impacts – Echoed was the need for a wider ecosystem view, ecological protection, biodiversity, and prevention of damage. Concerns were expressed around the protection of streams, natural springs, spawning areas, preservation of habitat, potential impacts on fish and hatcheries and management/monitoring of watercourse crossings. Participants expressed that information was terrestrial focused and more information about the marine environment is needed.

Access to Information/Protocols – Information needs to be centralized to create a baseline database and data sharing agreements should be put in place between TMC and Indigenous monitors. Participants emphasized the importance for the advice of monitors to be taken into consideration and raised questions about process for chance finds and ownership of finds.



Throughout the two days during the 2019 Line Wide Gathering, the participants had the opportunity to participate in group discussions and in breakout sessions to discuss, share knowledge, information, feedback and recommendations. The following is summary information reflecting the voices of the Indigenous participants:

Indigenous Monitoring and Oversight	
<p><i>Q1. What are needs and key priorities you would like to see the Monitoring and Oversight Subcommittee to address or focus on for your community, territory, and nation?</i></p> <ul style="list-style-type: none"> • Access to the existing Information that the monitors already have – and an understanding of how is this information fed into the monitoring system and considered for future use. A shared database. • Better understanding of processes – how monitors are selected, how communities can access the program. • Capacity funding to develop community specific monitoring plans. • Training funding and programs that are not just monitoring specific – could be transferable skill for pipeline work leading to more employment. • Plan for substantial priorities and deliverables – expand socioeconomic opportunities, expand EM all hazards. 	<p><i>Q2. What information do you want the IMs to know before they conduct an inspection in your territory? How could the IM get that information from your community?</i></p> <ul style="list-style-type: none"> • Incorporate local knowledge and include elders and knowledge keepers (technical knowledge in layman’s terms) into planning. Document these and run scenarios. Ex. High water lines, wells, local hazards. • Monitors should have presence on site as much of year as possible; • Develop a framework for response. • Good use of monitors time - make them pipeline experts so they can communicate information, issues, risks, shadow the integrity work, pump station work, send them to conferences – build the capacity.
<p><i>Q3. What do you think the key focus of the IMs should be during an inspection?</i></p> <ul style="list-style-type: none"> • Monitors access – when going out with regulators have access to all parts of site. • Align the power and authority of Monitors with inspectors. 	<p><i>Q4. What information do you want to see in the IM reports?</i></p> <ul style="list-style-type: none"> • Compliance methodology and role of monitors need to be widely understood. • Where possible, address the standardization of reports and consider interprovincial standardization. • Define and document changes that have been made in territory. On the land. • Standards of practice and reporting consistent. • Shared understanding of water crossings and benchmarks for ecosystem monitoring. • Nation driven protection of sacred sites documented. • Ensure the preservation of fisheries and habitat is documented.

Indigenous Monitoring and Oversight Continued	
<p><i>Q5. How would you like to receive information about the monitoring program? What is the best way for your community to receive that information?</i></p> <ul style="list-style-type: none"> • Captured in the engagement session – stressed throughout more communication in all aspects. 	<p><i>Q6. Is there an area of Environmental Monitoring that you feel the IM program overlooks?</i></p> <ul style="list-style-type: none"> • Future goals of the development of transferable skills into employment for members in industry. • Discussion on return on investments. • Marine environment – this is only terrestrial.

Emergency Management (Terrestrial)

All Hazards Approach –During the session on emergency management, participants indicated that the IAMC-TMX should apply an all-hazards-approach. Participants also indicated that effective emergency management requires regular exercises, maps of areas and backroads, geographic response plans, and environmental protection. The Incident Command System (ICS) provides a coordinated approach to communications, training, and partnership among government agencies, clear chain of command and notification process. Participants echoed the need for a unified command for multiple affected Indigenous nations is possible.

Emergency Management (Terrestrial)	
<p><i>Q1. What is needed in your community to address emergency management (pipelines)?</i></p> <ul style="list-style-type: none"> • Better communication flows between communities about experiences and better communication during emergency response. • Manuals and communications on EM that are clear and specific and written in a language that community members can understand– what to do who to call. • Opportunity to build Indigenous knowledge into ICS. Build into GIS. Site specific to each community. • Capacity building– planning, training, clear roles, funding for training. Training that is transferable to other emergencies. The understanding of EM should be inclusive of a wide variety of emergencies – not just spills. 	<p><i>Q2. What key areas of focus should the Emergency Management Working Group prioritize that you would like to see?</i></p> <ul style="list-style-type: none"> • IAMC-TMX to be more active and proactive at outreach, involving more communities and smaller communities in line wide. Inclusive. Equal opportunity for each community. • Ongoing training led by the Committee in EM to build capacity over time. • A monitor in each community to identity roles around EM and share knowledge – a shared repository of information. • Assign a person specific to EM on IAMC-TMX as key point of contact, responsible for working with communities. • Clarification about the role of the IAMC-TMX in emergency management.

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| <ul style="list-style-type: none"> • Clear relationships/ agreements with municipalities and other service providers in the event of an emergency. • A security fund - as reserves are excluded from many provincial programs. | <ul style="list-style-type: none"> • Clarification about the roles and responsibilities of the federal, provincial and municipal governments in EM. • Development of safety plans to address issues with protestors. |
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Work Camps and other Influx of Temporary Workers – Impacts on Communities

Shared safety of community members and workers – Discussion for the safety of community included the following ideas and recommendations:

- It was consistent among the participants regarding zero tolerance for drugs and alcohol and the importance of dry camps that are alcohol and drug free.
- communities indicated the need to ensure the monitoring and enforcement of drug testing and the creation of policies for dry camps.
- Safety requires ensuring security procedures are in place, partner with law enforcement and build strong safety culture on-site.
- Other ideas to address safety included the need to ensure criminal record checks and vulnerable person checks are conducted and limit transportation access by bussing workers in.
- Discussions regarding workcamps included a broad range of issues such as addressing issues with shift schedules, ensuring that Camps are self-contained with services such as mental health services on-site.
- Concerns were expressed about after-hours activities and recommendations were made for the camps to offer extracurricular activities to keep workers occupied – healthy options.

Engage stakeholders early – A key theme that arose during the discussion on work camps was the need to engage RCMP, emergency services, Parks Canada, Environment Canada prior to the creation of the work camps. Recommendations included collaborative preparation and response co-developed with government, agencies, and Indigenous communities. Participants also indicated the need to build capacity of local community – educate youth about personal safety/security.

Cross cultural awareness training – Participants indicated the importance of cultural awareness training for employers, workers and for Indigenous workers (some have never left their community) in workcamps. Ideas for cross cultural awareness training include bringing in elders and using local resources such as knowledge keepers. Participants also indicated that within work camps is an opportunity for cross cultural relationship building with non-Indigenous leadership, staff and workers at the camp particularly opportunities for mandatory training of workers across a broad range of topics that include the negative impacts of colonization to impacts of camps on Indigenous people, women and girls and communities. Participants indicated the need to educate camp owners, workers and visitors about respecting Indigenous rights and follow protocols re: hunting, harvesting and fishing.

Work Camps and Influx of Temporary Workers – Impacts on Communities	
<p><i>Q1. In view of its current mandate, how can the IAMC-TMX assist communities in addressing concerns related to work camps or the influx of workers?</i></p> <ul style="list-style-type: none"> • Create opportunities for Nations to visit existing work camps such as Pemco in Cold Lake, Cievo, or 7 Lakes to explore their existing successes and challenges. • Summary document of lessons learned from existing work camps. • Tools and funding for ways in a preventative way around community safety. • Safety-first mandate for camps and Nation involvement in safety planning (e.g., Dry camp mandate). • Create opportunities to influence workcamp ‘builds’ for safe activities such as work out facilities etc. • Creation of on-site safety officers and community safety officers with immediate feedback loops to the TMX and the Nations. • Predetermined protocols and agreements for incident reporting and response between TMX and the Nations. 	<ul style="list-style-type: none"> • TMX and the Nation (e.g., established policy and procedures to manage potential incidents). • MBA for economic benefit opportunities (e.g., food, beverage, laundry etc. between TMX and Nations for job creation). • Funding for TMX and Nation community communication planning for relationships, issues, feedback and successes. • “Issues Team” with TMX and Nation representation to deal with issues in real time. • Embed UNDRIP and TRC into all agreements. • Create learning opportunities for workers on UNDRIP, TRC and MMWIG. • Clarification about the role of the IAMC-TMX in emergency management. • Clarification about the roles and responsibilities of the federal, provincial and municipal governments in EM. • Development of safety plans to address issues with protestors.
Work Camps and Influx of Temporary Workers – Impacts on Communities	
<p><i>Q2. As we expand engagement and dialogue, who are the individuals, organizations, or agencies who should be included in your region?</i></p>	

- Health and Social Service Organizations
- Local Police
- BC Ambulance
- Local Fire
- Tribal Councils
- Local mental health support services
- Local advocacy groups for health and safety (e.g., women's groups)
- Chamber of Commerce
- Nation Ec. Dev. Corporations
- IMAC reps

Engagement

Be Different / We Are Different – Participants articulated the importance of understanding and respecting the diversity of communities, explaining that engagement activity will vary by community, will require different methods for different communities and will need to balance different priorities of different regions. Participants also expressed interest in more frequent and local regional sessions as well as youth representation or involvement. When participants were asked about preference for engagement methods, responses included: Face-to-face, touch-base directly, video, use different tools, communications is an issue (gaps), and the need for the creation of a communications plan and to develop strategies across initiatives.

Terms of Reference – Feedback regarding the TOR include the importance of using plain language and incorporate specific applicable and relevant articles in UNDRIP. Feedback included the need to improve communications and engagement in the TOR.

Engagement	
<p><i>Q1: How would you like your community to be engaged, what priorities for engagement will work for your community / territory?</i></p> <ul style="list-style-type: none"> • There is a gap in communication where Nations are not feeling heard or consulted. • Currently information is not filtering to Nation level nor community. • Committee communications need to be consistent and further reaching through multiple methods (e.g., email, poster, social media, in community presentations). • Multiple points of contact for distributing information E.g., Chief and Administrator. 	<p><i>Q2: The Terms of Reference outlines the mandate and roles of the IAMC-TMX, what in the TOR is of critical importance to you?</i></p> <ul style="list-style-type: none"> • There is a need to review and redefine the TOR line wide Nation focus. • Clarity on Technical vs High level TOR issues. • Define decision making process. • Build in 3rd party mediation/arbitration for disagreements. • Create defined protocols for sacred sites, archeology, Nation driven response.

- Nation to define their point of contact for TMX.
- A comprehensive communication plan that is focused on Nation needs is required.
- Dedicated Nation funding for staff/community liaison.
- Each community is unique – there is a need to define overarching shared goals, regional goals, and individual Nation goals.
- Line wide dialogue needs to occur quarterly in person not yearly.
- Capacity funding is required so Nations can have dedicated TMX staffing for issues, communication etc.
- A formal protocol is required for feedback so that information is shared more transparently.
- TOR should be reviewed every 6 months.



- the TOR is complicated and requires shared common goals with specific Nation goals.
- Create a common understanding at the nation level.

Q3. How would you like to provide feedback to the Terms of Reference Document as a community/Nation/Territory

- Line wide feedback, Regional and Local feedback and representation.
- In person working groups with document summary that can be taken back to the Nation.
- In community sharing/listening sessions.

Next Steps

This report will inform the workplan and priorities of the IAMC-TMX, their Subcommittees and Working Group as well as inform the 2020 Line Wide Gathering.

Key focus of the IAMC-TMX moving forward is to respond to what we heard, echoed was the need greater face-to-face sessions through regional engagement sessions and to address representation on the Committee.

Appendix A: Agenda – 2019 Line Wide Gathering

AGENDA

**Indigenous Advisory and Monitoring Committee
Trans Mountain Expansion and Existing Pipeline
(IAMC-TMX)
Line Wide 2019 Gathering**

**November 13-14, 2019 - Coast Capri Hotel, Kelowna, BC
located on the Syilx Okanagan Nation Territory
Agenda – Day 1: Wednesday, November 13th**

Time	Focus of Session
7:45 a.m. – 9:00 a.m.	Breakfast and networking
9:00 a.m. – 9:30 a.m.	<ul style="list-style-type: none"> • Opening Prayer • Welcome to the Territory • Opening Remarks and Introduction of the IAMC-TMX Indigenous Caucus and Committee
9:30 a.m. – 10:00 a.m.	IAMC-TMX Overview and Developments since 2018 Gathering
10:00 a.m. – 10:30 a.m.	Nutritional Break and Networking
10:30 a.m. – 12:00 p.m.	Indigenous Monitoring Presentation and Discussion
12:00 p.m. – 1:00 p.m.	Lunch
1:00 p.m. – 2:30 p.m.	Emergency Management Presentation and Discussion
2:30 p.m. – 3:00 p.m.	Nutrition Break and Networking
3:00 p.m. – 4:30 p.m.	Work Camps and Influx of Temporary Workers Presentation and Discussion

Agenda – Day 2: Thursday, November 14th

Time	Focus of Session
7:45 a.m. – 9:00 a.m.	Breakfast and networking
9:00 a.m. – 10: 30 a.m.	Panel Discussion: Perspectives from Leadership
10:30 a.m. – 10:50 a.m.	Nutritional Break and Networking
10:50 a.m. – 12:30 p.m.	Concurrent Dialogue Sessions: <ol style="list-style-type: none"> 1. Engagement on the Work of the Committee 2. Indigenous Monitoring
12:30 p.m. – 1:30 p.m.	Lunch
1:30 p.m. – 3:00 p.m.	Concurrent Information Sessions Offered by Guests: <ol style="list-style-type: none"> 1. Economic Participation hosted by Finance Canada 2. Terrestrial Cumulative Effects Initiative hosted by Environment and Climate Change Canada, Department of Fisheries and Oceans and Natural Resources Canada
3:00 p.m. – 3:30 p.m.	Closing Remarks and Closing Prayer

Appendix B: Communities Added to Crown Consultation List

Now eligible to participate in the IAMC-TMX:

- Papaschase First Nation
- Aseniwuche Winewak Nation
- Drift Pile Nation
- Swan River First Nation
- Hwilitsum First Nation
- Tsuu'tina Nation
- Esk'etemc First Nation
- Buffalo Lake Métis Settlement
- East Prairie Métis Settlement
- Kikino Métis Settlement

Appendix C: 66 Questions from Sli.do

During the 2019 Line Wide Gathering, the Sli.do technology was made available throughout the two days to provide opportunity for participants to raise questions generally or in response to the presentations. Time on the agenda was made to respond to some of the questions with the remaining questions extracted from Sli.do and provided to the IAMC-TMX. The following are the list of questions posed in Sli.do (ad verbum):

- How do the caucus members get selected. I believe they should be elected representatives of First Nations. Hai hai
- The time frame? 'Committee' be abolished after the pipeline is completed? Or will they continue as a regulator?
- Are you providing the participants an electronic copy of the PowerPoint presentations?
- How is it that all the work that took place in 2018 by IAMC did not include all MBA holders?
- In regard to the funding contribution from IAMC (65%) is that funding crowd sourced from the communities that make up the IAMC?
- How is the work of the committee communicated to communities?
- Are there further opportunities for new sub-committees to form?
- How is the fresh water impacted?
- What is the difference between the IAMC program and the TMC program?
- Is there a detailed pipeline route showing specific river and creek crossings, for each spread?
- Do the Indigenous Monitors get the same access during inspections as the regulators?
- How will the activities for cumulative affects monitoring be tracked, to ensure compliance with the regulatory verification activities?
- Who is doing the training for the monitors in respect to species at risk, invasive species and forestry?
- Is there an appetite to create Monitors of Tankers travelling the Salish Sea for South Island Nations on Vancouver Island?
- Do we know exactly how many Aboriginal people are being hired and do we know who they are?
- Critical to complying with regulations, is the need to compare cumulative affects data with the baseline/pre-disturbance data. How will this be done?
- Who pays the monitors. Our nations or TMX or Canada?
- The contractor will have an Indigenous monitor on site daily (separate from the IAMC) - what is their communication process to communities for non-compliances?
- Hello the regulators have legislation, what protects indigenous interests ?
- What will become of are archeological sites that have been identified throughout the trans-Canada pipeline?
- How do you choose what communities and individuals are able to participate and become monitors?

- When does this project consider cumulative effects in addition to the direct impact of the RoW of the pipeline?
- Effects with anthropogenic climate change?
- Is there opportunity to train new monitors on an ongoing basis to continue capacity of first Nations with smaller base of employable people?
- Does this group have access to all the stakeholder tracking data that exists for the project?
- How will you protect the natural spring water if there is no springs left they won't be able to feed the river's so there won't be any fish?
- How does this help the community? Do all community members benefit once the pipeline is in what happens then?
- Does this well on fast flowing river water as well? How is that dealt with?
- How many meters are the pipes under water. How are they looked after?
- Will there be another pilot project in the Sto:lo territory? How can lower Fraser valley's nations get involved?
- How big does a spill have to be in order for communities to be notified and to trigger an emergency response?
- How do our nations access funds for emergency response? What is being done for the communities along the coast?
- What is the main cause of spills?
- Does the First Nation Emergency Services go after any emergency response? There are so many pipelines in BC and other industries that pose risks to environment?
- Does the term temporary worker include TFW's (temporary foreign worker)?
- What is trans mountain doing in regards to garbage that accumulates within the camps?
- How are work camps going to prevent over fishing, over hunting, over use of local natural resources?
- Partnering with ATCO? What does that look like?
- Does the regulators or IMs have the right to shut down a camp if they feel their roles and responsibilities within the camps are not met. eg garbage clean up?
- Are their economic or business opportunities associated with the work camps?
- Is there a partnership with law enforcement agencies to truly enforce policy that will protect women and children?
- Has TMC responded to the subcommittee's preference for having dry camps?
- If dry camps are to be what is to stop workers from coming in to camp having drank or did drugs?
Are there going to be pushed away until sober?
- Majority of camps are dry, but so many workers use cocaine. Cocaine leaves the system in 24 hours, is their research to control cocaine users coming in and out?
- Who determines the location of campsites and what are the determines factors?
- Yesterday's final comments stated that not all MBA holders are connected to the IAMC and its work that its doing. How will this change moving forward?
- What will be the primary mode of transportation for the oil and gas?

- Will the transportation regulations be revised to reflect transportation methods? E.g. trucks, trains
- Engagement with the intention to look after the land? Where do you all stand on protection of the natural resources, food resources and cultural areas?
- Leaders, where do you see UNDRIP playing a role? FN need increase funding across a broad spectrum, from Lands and Resources to Children and Families. Supported?
- What will the IAMC do to engage those groups who are struggling to come to the table for philosophical reasons or capacity issues?
- How are the changes in Gov, trust and relationships being built etc. being embedded into system so it can be sustained beyond current leadership on both sides?
- Leadership what are your key deliverables for the coming year and how will you communicate and engage at the community level across the line?
- Great commentary by the leadership panel! Max Planck said “when you change the way you look at things, the things you look at change.”
- Resource sharing? Direct award Funding? Has this been discussed? Our resources and sacred sites are being destroyed, ancestral remains. etc.
- Revenue SHARING? It will also be discussed, next steps? How do we protect the environment? For the next generations.
- How is the IAMC working to embed change into the system so that as Indigenous people we are not relying on good-hearted people like Peter?
- Nice to be involved in the co-developments of the pipeline BUT when are we going to address natural resources sharing with people that have title and rights?
- Leaders, what are your feelings about the new pipeline route destroying FN burial sites and significantly sensitive and important cultural/spiritual areas?
- Going forward, how will IAMC incorporate/ include differing community processes that manage interests considering the # of communities & shared interests?
- What certifications do current monitors have. Ex. Electro fishing?

Note of Acknowledgement

The Committee wishes to thank Marcia Dawson for her expert facilitation of the 2019 Line Wide Gathering and production of this summary report. Marcia is Gitxsan from the Lax Gibuu (Wolf clan) and Wilps Haisimsque (house of Chief Haisimsque). She holds a Master's Degree in Leadership from Royal Roads University and a Bachelor's Degree in Political Science from the University of Victoria.

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