

## RECORD OF DECISIONS

IAMC-TMX Meeting: September 30, 2020  
Zoom Videoconference

### DAY 1: September 30th

#### ITEM: WELCOME & OVERVIEW

##### Discussion:

- Grand Chief Doug Kelly opened the meeting with a prayer song.
- Committee Co-Chair Michelle Wilsdon explained that this was the first meeting in which operational items have been transferred to the Operations Subcommittee and that the Co-Chairs are open to feedback on meeting format.

##### Decisions:

- The proposed draft agenda was adopted by the Committee.
- The ROD from the August 13th meeting was **approved**.

#### ITEM: UPDATE ON THE COVID-19 TASK GROUP

##### Discussion:

- Tracy Sletto explained that the objective of the task group is to address issues and concerns raised by the Indigenous Caucus regarding TMC's response to COVID-19.
- Tracy Sletto and Grand Chief Doug Kelly provided an overview of Stream A: TMC Health & Safety Plan requirements and reviewed and highlighted the recent COVID-19 regulatory workshop that took place on September 17.
- The COVID-19 regulatory workshop was seen to be productive as it connected the relevant ministries and agencies to the work being done; next steps are underway to organize regional sessions and to address action items stemming from the breakout groups.
- Chris Loewen and Raymond Cardinal spoke to Stream B of the work: Return to on-site monitoring and oversight of Occupational Health and Safety (OHS) performance. It was explained that in-person inspections resumed as of June and this was made possible by an OHS plan developed specifically for the program.
- A milestone 50<sup>th</sup> inspection was acknowledged by Chris Loewen and the Committee was informed that a communications piece around this was being developed with the IAMC-TMX and CER.
- Raymond Cardinal mentioned that two Indigenous-led inspections were being planned, which is an example of the evolving context of the Indigenous Monitoring (IM) Program and is an important piece to report out to communities. Kimberly Lavoie noted that there would be value in developing a communications piece on this.

#### ITEM: UPDATE ON THE MONITORING POLICY TABLE

##### Discussion:

- Committee Co-Chair Kimberly Lavoie noted that the Monitoring Policy Table has been meeting since September 2019 and is a forum through which TMC, CER and the Indigenous Caucus come together to resolve issues, facilitated by NRCan. Twenty-three short-term deliverables have been identified by the group, however there is a sense that the implementation of those

deliverables has been stalled due in part to COVID-19. Tracy Sletto noted that the work was very important and that while progress had been made at the Table, it was not as far along as hoped.

- Concerns were brought forward by Tim Dickson that momentum at the Monitoring Policy Table had stalled. It was reported that Indigenous Caucus had felt that there was a lack of willingness to engage by the proponent. There was a request that NRCan and CER become more involved in the dialogue as without this, TMC is unlikely to address Indigenous Caucus' concerns.
- It was noted that there was growing concern with TMC's Indigenous Monitoring manual and that the proponent was viewed as being dismissive. Ray Cardinal noted that the company is in compliance with regulations but questioned if they are doing enough to address communities' concerns. He also mentioned that what's included in the manual may not be reflective of what's happening in the field.
- Tracy Sletto acknowledged a change in tone at the Monitoring Policy Table. She stated that CER is typically in the role of adjudicator and through the Policy Table, the regulator is piloting a different approach to working with communities and companies. Tracy stated that if this approach isn't successful, CER has tools to change proponent behavior and will use them if it is necessary.
- Kimberly Lavoie noted that NRCan sees itself as a facilitator at the Table, but if NRCan needs to weigh in, will consider how best to do that.
- Michelle Wilsdon asked whether the group was willing to participate in a 'take stock' exercise and bring findings to the Leadership Table, or to move on from engaging at the Policy Table. A discussion ensued about how to move forward and the Committee committed to continuing with the monitoring policy table.

#### **Decisions:**

- The Committee **decided** to continue engaging at the Monitoring Policy Table.

#### **MEETING ADJOURNED**

## **PARTICIPANTS**

### **IAMC-TMX Members:**

- Carleen Thomas (Burrard Inlet/Lower Fraser)
- Grand Chief Doug Kelly (Fraser Valley – alternate)
- Bear Charlie (Vancouver Island – Western Approach - alternate)
- Chief Marcel Shackelly (Mid-Fraser/Thompson)
- Michelle Wilsdon (Alberta First Nations)
- Ray Cardinal (Alberta First Nations)
- Chief Russell Chipps (Vancouver Island – South)
- Tracy Friedel (Alberta Métis)
- Trina Sxwithul'twx (Vancouver Island – Southeast)
- Garth Mullins (Environment and Climate Change Canada - alternate)
- Ian Chatwell (Transport Canada)
- Kimberly Lavoie (Natural Resources Canada)
- Tracy Sandgathe (Fisheries and Oceans Canada)
- Tracy Sletto (Canada Energy Regulator)

### **Invited Guests:**

- Tribal Chief Tyrone McNeil (Sto:lo Tribal Council)
- Bill Adsit (G&C Advisor)
- Anna Classen (Acting Senior Executive Director of IPO-W)
- Chris Loewen (Canada Energy Regulator)

### **Regrets:**

- Norine Saddleback (Alberta First Nations)
- George Lampreau (BC Interior)
- Chief Harvey McLeod (Okanagan)
- David Heap (Canadian Coast Guard)

### **Support:**

- Angela Preissl (IPO-W)
- Anthony Cotter (IPO-W)
- Bernée Bolton (IPO-W)
- Caleb Lam (IPO-W)
- Corey Dekker (IPO-W)
- Katherine Filipic (IPO-W)
- Daniel Kelly (IPO-W)
- Kathy Liu (IPO-W)
- Shaylen Smith (IPO-W)

### **Indigenous Caucus Staff:**

- Dean Cherkas
- Tim Dickson
- Jeff Langlois