



# ABORIGINAL CONSULTATION REPORT FOR THE TRANS MOUNTAIN PIPELINE ULC TRANS MOUNTAIN EXPANSION PROJECT BC EAO CONDITION 10

June 2017  
REV 1

Prepared for:



**TRANS**MOUNTAIN

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## TABLE OF CONCORDANCE

The Table of Concordance describes how this Report addresses the applicable British Columbia (BC) Environmental Assessment Office (EAO) Conditions.

**TABLE 1**  
**CONCORDANCE WITH BC**  
**ENVIRONMENTAL ASSESSMENT OFFICE CONDITION 2 AND 10**

BC EAO Condition	Location in BC EAO Report	Location in NEB Report 96
<b>BC EAO CONDITION 2: PLAN DEVELOPMENT</b>		
Where a condition of this Certificate requires the Holder to develop a plan, program or other document, and such plan, program or other document must, at a minimum, include the following information:	Section 1.2	N/A
a) Purpose and objectives of the plan, program or other document;		
b) Roles and responsibilities of the Holder, Project personnel and contractors;	Section 1.3	N/A
c) Names and if applicable, professional certifications and professional stamps/seals, for those responsible for the preparation of the plan, program, or other document;	6	N/A
d) Schedule for implementing the plan, program or other document throughout the relevant Project phases;	Section 1.4	N/A
e) Means by which the effectiveness of the mitigation measures will be evaluated, including a schedule for evaluating effectiveness;	N/A	N/A
f) Adaptive management plan to address effects of the Project if those effects:	N/A	N/A
i) Are not mitigated to the extent contemplated in the Application; or		
ii) Are not predicted in the Application;		
g) Schedules and methods for the submission of reporting to specific agencies, Aboriginal Group(s) and the public and the required form and content of these reports; and	Section 1.4	N/A
h) Process and timing for updating and revising the plan, program or other document, including and consultation with agencies and Aboriginal Groups that would occur in connection with such updates and revisions.	Section 1.4	N/A
<b>BC EAO CONDITION 10: ABORIGINAL CONSULTATION REPORTS</b>		
The Holder must develop, in consultation with Aboriginal Groups, Aboriginal consultation reports. The Aboriginal consultation reports must:	Section 1, 2, 3	Section 2, 3
a) Summarize the efforts undertaken by the Holder to consult with Aboriginal Groups, including consultations to meet the requirements set by the NEB Conditions 96 and 146 and the conditions set out in this Certificate;		
b) Identify the comments and information received from Aboriginal Groups during consultation;	Section 2, 3	Section 2, 3
c) Demonstrate how any new information obtained through consultation with Aboriginal Groups, including TLRU or TMRU investigations has been considered and incorporated into the Holder's activities, plans or programs with the objective of avoiding or minimizing Project effects on Aboriginal Groups;	Section 4	Section 2.9
d) Provide an update on the status of issues resolution with Aboriginal Groups;	Section 2 and Appendix B	Section 2 and Appendix E
e) Identify the measures the Holder has implemented or intends to implement and the timeframe for implementation to address issues raised by Aboriginal Groups, including measures to, as much as technically and economically feasible, avoid, minimize, and offset the adverse effects of the Project on the Aboriginal Groups;	Section 2.3, and Appendix B	Section 4.1, 2.9 and Appendix E
f) Describe the actions the Holder has taken or will take to provide training, employment, business, and contracting opportunities to Aboriginal Groups;	Section 2.2.3, Section 2.2.2	Section 4.1, Section
g) Describe the outcomes of the actions taken by the Holder pursuant to (e);	Section 2.3 and Appendix B	Section 4.1 and Appendix E
h) Outline on-going or future consultation activities, including those required by NEB Conditions 96 and 146 and the conditions set out in this Certificate; and	Section 2.2	Section 2.5
i) Identify the comments received from Aboriginal Groups during consultation on the draft Aboriginal consultation report and explain how the comments were considered or addressed.	Section 2.4	Section 4.1
The Holder must provide Aboriginal consultation reports to EAO at least two months prior to the commencement of Construction, one year after the commencement of Construction, and both one year and five years after commencement of Operations. EAO may amend these timelines and may request additional reports at any time by providing written notice to the Holder.	Trans Mountain commits to meeting this condition	--
Prior to providing an Aboriginal consultation report to EAO, the Holder must share the draft Aboriginal consultation report with Aboriginal Groups for their review and comment for no less than 30 days.	Section 2.4	Section 2.5

## ABBREVIATIONS AND ACRONYMS

Abbreviation/Acronym	Full Name
ACR	Aboriginal Consultation Report
AER	Aboriginal Engagement Report
AFN	Aitchelitz First Nation
AIA	Archeological Impact Assessment
AIB	Ashcroft Indian Band
ALIB	Adams Lake Indian Band
BBIB	Boston Bar Indian Band
BC	British Columbia
BC EAO	BC Environmental Assessment Office
BC OGC	BC Oil and Gas Commission
BIB	Boothroyd Indian Band
CFIB	Cooks Ferry First Nation
CHRP	Caribou Habitat Restoration Plan
CIB	Coldwater Indian Band
CLFN	Chawathil First Nation
CLIB	Canim Lake Indian Band
CMFN	Cheam First Nation
CMP	Compliance Management Plan
CPCN	Certificate of Public Convenience and Necessity, subject to approval of the Governor in Council and issued by the NEB, permits the construction and operation of a pipeline.
DFN	Ditidaht First Nation
EAS	Environmental Alignment Sheets
EHS	KMC's Environment, Health and Safety Management System, as adopted by Trans Mountain for the TMEP
EN	Esquimalt Nation
EPP	Environmental Protection Plan
ESA	Environmental and Socio-Economic Assessment
HFN	Halalt First Nation
HMFN	Hwlitsum First Nation
IAMC	Indigenous Advisory and Monitoring Committee
IR	Indian Reserve
KAFN	Katzie First Nation
KFN	Kwikwetlem First Nation
KIB	Kamloops Indian Band
KKFN	Kwaw-Kwaw Apilt First Nation
KMC	Kinder Morgan Canada Inc.
KWFN	Kwantlen First Nation
LCFN	Lake Cowichan First Nation
LDN	Lhtako Dene Nation
LFN	Lytton First Nation
LLFN	Leq'a:mel First Nation
LNIB	Lower Nicola Indian Band
LSIB	Lower Similkameen Indian Band
LSLIB	Little Shuswap Indian Band
LTB	Lheidli T'enneh Band
LYFN	Lyackson First Nation
MAFN	Maa-nulth First Nations
MBA	Mutual Benefits Agreement
MFN	Matsqui First Nation
MMN	Musqueam Nation
MOC	Management of Change
MTFN	Malahat First Nation
NEB	National Energy Board
NHIB	Nooaitch Indian Band
NIB	Neskonlith Indian Band
NNTC	Nlaka'pamux Nation Tribal Council
OIB	Okanagan Indian Band

Abbreviation/Acronym	Full Name
OJCIB	Oregon Jack Creek Indian Band
PEFN	Penelakut First Nation
PFN	Peters First Nation
PIB	Penticton Indian Band
PMFN	Popkum First Nation
PNFN	Pauquachin First Nation
PRRO	People of the River Referral Office
PTFN	Pacheedaht First Nation
SAIB	Siska Indian Band
SAN	Snaw'Naw'As Nation
SEFN	Skowkale First Nation
SFN	Sumas First Nation
SHFN	Skwah First Nation
SHIB	Shackan Indian Band
SIB	Scia'new Indian Band
SIFN	Squiala First Nation
SKFN	Skawahlook First Nation
SLFN	Shxw'ow'hamel First Nation
SMFN	Spuzzum First Nation
SMN	Squamish Nation
SN	Simpcw First Nation
SNIB	Skeetchestn Indian Band
SOFN	Semiahmoo First Nation
SSFN	Stz'uminus First Nation
STSA	S'olh Temexw Stewardship Alliance
SWFN	Soowahlie First Nation
SZFN	Scowlitz First Nation
TAFN	Tsawwassen First Nation
the Application	the Facilities Application
the Project	Trans Mountain Expansion Project
the Report	BC EAO Aboriginal Consultation Report
TIB	Tseycum Indian Band
TLRU	Traditional Land Resource Use
TMEP	Trans Mountain Expansion Project
TMRU	Traditional Marine Resource Use
Trans Mountain	Trans Mountain Pipeline ULC
TRFN	Tsartlip First Nation
TTFN	Tsawout First Nation
TTLP	Ts'elxweyeqw Tribe Limited Partnership
TUFN	T'Sou-ke First Nation
TWN	Tsleil-Waututh Nation
TZFN	Tzeachten First Nation
UBFN	Union Bar First Nations
UNB	Upper Nicola Band
USIP	Upper Similkameen Indian Band
WBFN	Westbank First Nation
WCMRC	Western Canada Marine Response Corporation
WMT	Westridge Marine Terminal
WPCIB	Whispering Pines/Clinton Indian Band
WVMP	Weed and Vegetation Management Plan
YFN	Yale First Nation
YKFN	Yakweakwioose First Nation

## EXECUTIVE SUMMARY

Trans Mountain Pipeline ULC (Trans Mountain) submitted a Facilities Application (the Application) to the National Energy Board (NEB) in December 2013 for the proposed Trans Mountain Expansion Project (“the Project” or “TMEP”). On November 29, 2016, the Government of Canada concluded the Project was in the public interest of Canada. A Certificate of Public Convenience and Necessity (CPCN) and other authorizations allowing the Project to proceed were issued and became effective on December 1, 2016, subject to 157 conditions (the NEB Conditions). On January 11, 2017, the British Columbia (BC) Environment Minister and Natural Gas Development Minister issued an Environmental Assessment Certificate to Trans Mountain for the BC portion of the Project, subject to another set of 37 conditions (the BC Environmental Assessment Office [EAO] Conditions).

The BC EAO Aboriginal Consultation Report (the BC EAO ACR or the Report) was prepared in compliance with BC EAO Condition 10: Aboriginal Consultation Report. The BC EAO ACR builds upon the NEB Condition 96 Report on Engagement with Aboriginal Groups - Construction (see Appendix C) and can be read in conjunction with it. The Report was shared with Aboriginal groups for review and feedback from April 12 to May 12, 2017. The majority of consultation activities outlined in this Report focus on environmental plans in consultation with NEB and EAO Conditions, as well as BC Oil and Gas Commission (BC OGC) permits. Feedback received prior to the plans being drafted were included in the original plan, and feedback from recent consultations on environmental plans are documented and then any appropriate mitigations are captured into the final plans.

In addition to consulting on NEB and EAO Conditions and BC OGC permits, Trans Mountain continues to engage on Project benefits. Discussing employment and training as well as business opportunities are of priority to many Aboriginal groups, and Trans Mountain has been working to maximise these benefits. Trans Mountain will continue to identify capability and capacity in Aboriginal communities, and ensure that this information can be shared with contractors for their use in hiring and subcontracting.

Applicable information from studies in Traditional Land Resource Use and TMRU has been incorporated into environmental plans. Additional information gathered in these areas prior to construction will be captured within the NEB Condition 97, Traditional Land Use and TMRU Investigation Report. Trans Mountain continues to work with communities to better understand site specific concerns, including circumstances where the information received was too general to inform specific mitigations.

## TABLE OF CONTENTS

	<u>Page</u>
TABLE OF CONCORDANCE .....	I
ABBREVIATIONS AND ACRONYMS.....	II
EXECUTIVE SUMMARY .....	IV
1.0 INTRODUCTION.....	1
1.1 Project Description .....	1
1.2 Purpose .....	1
1.3 Roles and Responsibilities.....	2
1.4 Schedule for Engagement on the Report .....	2
1.5 The Aboriginal Engagement Program.....	2
1.5.1 Geographic Location of Aboriginal Groups .....	2
1.5.2 Aboriginal Groups Engaged.....	3
2.0 CONSULTATION AND ENGAGEMENT SUMMARY .....	6
2.1 Current Engagement Activities .....	6
2.2 Continued and Planned Consultation .....	6
2.2.1 Indigenous Advisory Monitoring Committee and Economic Pathways Partnership.....	8
2.2.2 Engagement on Employment and Training .....	9
2.2.3 Engagement on Procurement.....	11
2.2.4 Aboriginal Cultural Awareness and Recognition.....	12
2.3 Issues Tracking .....	12
2.4 Engagement on the Draft Aboriginal Consultation Report.....	13
3.0 ABORIGINAL GROUP CONSULTATION AND ENGAGEMENT SUMMARY.....	16
3.1 Adams Lake Indian Band .....	16
3.2 Aitchelitz First Nation .....	16
3.3 Ashcroft Indian Band.....	16
3.4 Boothroyd Indian Band .....	16
3.5 Boston Bar Indian Band .....	17
3.6 Canim Lake Indian Band.....	17
3.7 Chawathil First Nation .....	17
3.8 Cheam First Nation .....	17
3.9 Coldwater Indian Band.....	17
3.10 Cooks Ferry Indian Band .....	18
3.11 Cowichan Tribes .....	18
3.12 Ditidaht First Nation.....	18
3.13 Esquimalt Nation .....	18
3.14 Hwlitsum First Nation .....	18
3.15 Halalt First Nation.....	18
3.16 Katzie First Nation.....	19
3.17 Kwantlen First Nation .....	19
3.18 Kwaw-Kwaw Apilt First Nation .....	19
3.19 Kwikwetlem First Nation.....	19
3.20 Lake Cowichan First Nation .....	19
3.21 Leq'a:mel First Nation .....	2019
3.22 Lheidli T'enneh Band .....	20
3.23 Lhtako Dene Nation .....	20
3.24 Little Shuswap Indian Band .....	20
3.25 Lower Nicola Indian Band .....	20
3.26 Lower Similkameen Indian Band .....	20
3.27 Lyackson First Nation.....	21

3.28	Lytton First Nation .....	21
3.29	Maa-nulth First Nations .....	21
3.30	Malahat First Nation .....	21
3.31	Matsqui First Nation .....	21
3.32	Musqueam Nation .....	22
3.33	Neskonlith Indian Band .....	22
3.34	Nooaitch Indian Band.....	22
3.35	Okanagan Indian Band .....	22
3.36	Oregon Jack Creek Indian Band.....	22
3.37	Pacheedaht First Nation .....	23
3.38	Pauquachin First Nation.....	23
3.39	Penelakut First Nation.....	23
3.40	Penticton Indian Band .....	23
3.41	Peters First Nation .....	23
3.42	Popkum First Nation.....	24
3.43	Scia'new Indian Band (Beecher Bay) .....	24
3.44	Scowlitz First Nation.....	24
3.45	Seabird Island Band.....	24
3.46	Semiahmoo First Nation .....	24
3.47	Shxw'ow'hamel First Nation.....	2524
3.48	Shackan Indian Band.....	25
3.49	Shxwhá:y Village.....	25
3.50	Siska Indian Band .....	25
3.51	Simpcw First Nation .....	25
3.52	Skawahlook First Nation .....	26
3.53	Skeetchestn Indian Band .....	26
3.54	Skowkale First Nation .....	26
3.55	Skuppah Indian Band.....	26
3.56	Skwah First Nation .....	27
3.57	Snaw'Naw'As Nation.....	27
3.58	Songhees First Nation .....	27
3.59	Soowahlie First Nation .....	27
3.60	Spuzzum First Nation.....	27
3.61	Squamish Nation.....	28
3.62	Squiala First Nation.....	28
3.63	Stz'uminus (Chemainus) First Nation .....	28
3.64	Sumas First Nation.....	28
3.65	Tk'emlups te Secwepemc .....	28
3.66	Tsartlip First Nation .....	29
3.67	Tsawout First Nation .....	29
3.68	Tsawwassen First Nation .....	29
3.69	Tseycum Indian Band .....	29
3.70	Tsleil-Waututh Nation.....	30
3.71	T'Sou-ke First Nation .....	30
3.72	Tzeachten First Nation .....	30
3.73	Union Bar First Nations.....	30
3.74	Upper Nicola Band.....	30
3.75	Upper Similkameen Indian Band .....	31
3.76	Westbank First Nation.....	31
3.77	Whispering Pines/Clinton Indian Band.....	31
3.78	Yakwekwioose First Nation.....	31
3.79	Yale First Nation.....	31
3.80	Collective Organizations .....	3231
	3.80.1 S'olh Temexw Stewardship Alliance.....	3231

3.80.2	Sto:lo Collective .....	33
3.80.3	Ts'elxweyeqw Tribe Limited Partnership .....	33
4.0	TRADITIONAL LAND RESOURCE USE AND TRADITIONAL MARINE RESOURCE USE .....	35
5.0	CONCLUSION .....	36

### LIST OF APPENDICES

Appendix A	Roles and Responsibilities .....	A-1
Appendix B	Issues Summary and Resolution Tables .....	B-1
Appendix C	National Energy Board Condition 96 Report on Engagement with Aboriginal Groups - Construction .....	C-1

### LIST OF TABLES

TABLE 1	CONCORDANCE WITH BC ENVIRONMENTAL ASSESSMENT OFFICE CONDITION 2 AND 10 .....	i
TABLE 2	IRS CROSSED BY THE TMEP CORRIDOR IN BC .....	2
TABLE 3	ABORIGINAL GROUPS – TERRESTRIAL .....	2
TABLE 4	ABORIGINAL GROUPS - MARINE .....	4
TABLE 5	ABORIGINAL CONSULTATION SCHEDULE FOR BC EAO CONDITIONS .....	6
TABLE 6	ABORIGINAL CONSULTATION SCHEDULE FOR NEB CONDITIONS - PRIOR TO CONSTRUCTION .....	7
TABLE 7	CAREER FAIRS .....	9
TABLE 8	COMMUNITY EVENTS .....	9
TABLE 9	SUMMARY OF EMPLOYMENT INTEREST .....	9
TABLE 10	ABORIGINAL CONSULTATION REPORT FEEDBACK .....	12
TABLE 11	TEK, TLRU AND TMRU INFORMATION .....	34
TABLE 12	FILED NEB PLANS WITH FEEDBACK FROM ABORIGINAL GROUPS .....	34



## 1.0 INTRODUCTION

Trans Mountain Pipeline ULC (Trans Mountain) submitted a Facilities Application (the Application) to the National Energy Board (NEB) in December 2013 for the proposed Trans Mountain Expansion Project (“the Project” or “TMEP”). On November 29, 2016, the Government of Canada concluded the Project was in the public interest of Canada. A Certificate of Public Convenience and Necessity (CPCN) and other authorizations, allowing the Project to proceed, were issued and became effective on December 1, 2016, subject to 157 conditions (the NEB Conditions). On January 11, 2017, the British Columbia (BC) Environment Minister and Natural Gas Development Minister issued an Environmental Assessment Certificate to Trans Mountain for the BC portion of the Project, subject to another set of 37 conditions (the BC Environmental Assessment Office [EAO] Conditions).

The BC EAO Aboriginal Consultation Report (BC EAO ACR or the Report) was prepared to meet the requirements of BC EAO Condition 10. This Report and the next links most directly to NEB Condition 96, and the operations reports will then link to Condition 146. Please refer to the table below for additional details on how each report relate to each other’s timing. NEB Conditions 96 and 146 require reports more frequently than BC EAO Condition 10 on engagement with Aboriginal groups before, during, and post-construction. This Report does not seek to duplicate the information found in the reports created for NEB Condition 96, but to supplement those reports with additional information based on the additional requirements to meet BC EAO Condition 10 and builds on the information shared with Aboriginal groups and the BC EAO in July 2016 through Trans Mountain’s Aboriginal Engagement Report (AER).

### TIMING OF NEB CONDITIONS 96, 146 AND EAO CONDITION 10

General Timing	Condition		
	BC EAO Condition 10	NEB Condition 96	NEB Condition 146
Prior to construction	Required to be filed two months prior to construction	Required to be filed two months prior to construction	
During construction	Required to be filed one year after the commencement of construction	Required to be filed every six months after construction commences	
Operations	Required filing one and five years after the commencement of operations		Required to be filed every year after the commencement of operations for five years

## 1.1 Project Description

Trans Mountain filed its Application with the NEB in December 2013. In developing its Application, Trans Mountain commenced a program of extensive discussions with landowners, engagement with Aboriginal groups and consultation with affected stakeholders. This program was intended to gather input from these groups into the Application and supporting Environmental and Socio-Economic Assessment (ESA), and to continue to assist Trans Mountain in the design and execution of the Project. Trans Mountain is also working with Appropriate Government Authorities to carry out the necessary reviews, studies and assessments required for the Project.

## 1.2 Purpose

The purpose of the Report is to meet the requirements of BC EAO Condition 10. This Report seeks to summarize the engagement undertaken with Aboriginal groups, followed by a summary of comments received on the Draft Report, issued for review in April 2017. The Report aims to provide information regarding current and future engagement on Project benefits including, but not limited to: employment, training, and procurement. The Report includes a summary of issues identified to date by Aboriginal groups, resolution measures and/or status. In regards to Traditional Land Resource Use (TLRU) and

Traditional Marine and Resource Use (TMRU) information, the Report demonstrates how information has been received and incorporated it into Project planning.

### 1.3 Roles and Responsibilities

The roles and responsibilities are provided in Appendix A. These roles and responsibilities are subject to change and will be finalized with the development of NEB Condition 88 (Project Organizational Structure for Project Construction). The roles and responsibilities in Appendix A contains information relevant to the area of Aboriginal consultation compliance and reflect personnel that can influence compliance and consultation decisions.

### 1.4 Schedule for Engagement on the Report

This Report was shared for consultation with Aboriginal groups on April 12, 2017 and feedback was due to Trans Mountain by May 12, 2017. Feedback was captured and included in Section 2.4 of this filing.

Trans Mountain is also committed to filing subsequent reports to the BC EAO which will also undergo consultation by Aboriginal Groups for a minimum of 30-days. This feedback will be captured and included when filed in the reports due to BC EAO one year after commencement of Construction, and both one year and five years after commencement of Operations.

### 1.5 The Aboriginal Engagement Program

Background information on Trans Mountain's Aboriginal Engagement Program was detailed in the AER filed with BC EAO in July 2016 (<https://projects.eao.gov.bc.ca/p/trans-mountain-expansion/docs>). While Trans Mountain continues to move through stages of consultation, it remains committed to the original vision, principles and design, as outlined in the AER.

#### 1.5.1 Geographic Location of Aboriginal Groups

There are substantial areas of shared Traditional Territory and Trans Mountain has organized its Aboriginal Engagement Program into the following four regions based on the location of Aboriginal groups along the pipeline corridor in BC:

- Alberta/BC border to Kamloops, BC;
- Kamloops, BC to Hope, BC;
- Hope, BC to the Burnaby Terminal-Burrard Inlet, BC; and
- the marine transportation corridor from the Burrard Inlet to international waters.

In BC, the Project will cross 10 Indian Reserves (IRs) (Table 2). In addition to the 10 IRs that the Project crosses, reactivation work will take place on two additional IRs. Whispering Pines Clinton Indian Band's IR Whispering Pines No. 4 and Kamloops Indian Band's (KIB's) IR Kamloops No. 4 will contain reactivation work.

**TABLE 2**  
**IRS CROSSED BY THE TMEP CORRIDOR IN BC**

IR Name	Aboriginal Groups with an Interest in IR
Joeyaska #2	Lower Nicola Indian Band (LNIB)
Matsqui Main #2	Matsqui First Nation (MFN)
Ohamil #1	Shxw'ow'hamel First Nation (SLFN)
Peters #1	Peters Band
Peters #1a	Peters Band
Popkum #1	Popkum First Nation (PMFN)
Popkum #2	PMFN
Tzeachten #13	Tzeachten First Nation (TZFN)
Zoht #4	LNIB

Zoht #5	LNIB
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### 1.5.2 **Aboriginal Groups Engaged**

As identified in the BC EAO Section 11 Order, Trans Mountain is engaging with Aboriginal groups in proximity to the pipeline corridor and marine transportation corridor (Tables 3 and 4) that might have an interest in the Project or have Aboriginal interests potentially affected by the Project.

**TABLE 3**

**ABORIGINAL GROUPS – TERRESTRIAL**

Adams Lake Indian Band (ALIB)
Aitchelitz First Nation (AFN)
Ashcroft Indian Band (AIB)
Boothroyd Band (Nlaka'pamux Nation Tribal Council [NNTC])
Boston Bar Band
Chawathil First Nation (CLFN)
Cheam First Nation (CMFN)
Coldwater Indian Band (CIB)
Cook's Ferry Indian Band
Katzie First Nation (KAFN)
Kwantlen First Nation (KWFN) (including Qayqayt First Nation)
Kwaw-kwaw-apilt First Nation
Kwikwetlem First Nation (KFN)
Leq'a:mel First Nation (LLFN)
Lheidli T'enneh First Nation

**TABLE 3 Cont'd**

Lhtako Dene Nation (LDN)
Little Shuswap Indian Band (LSLIB)
LNIB
Lower Similkameen Indian Band (LSIB)
Lytton First Nation (LFN) (NNTC)
MFN
Neskonliith Indian Band (NIB)
Nicomien Indian Band
Nooaitch Indian Band (NHIB)
Okanagan Indian Band (OIB)
Okanagan Nation Alliance
Oregon Jack Creek Band (NNTC)
Penticton Indian Band (PIB)
Peters Band
PMFN
Scowlitz First Nation (SZFN)
Seabird Island Band
Semiahmoo First Nation (SOFN)
Shackan Indian Band (SHIB)
Shuswap Indian Band
SLFN
Shxwha:y First Nation
Simpco First Nation (SN)
Siska Indian Band (SAIB)
Skawahlook First Nation (SKFN)
Skeetchestn Indian Band (SNIB)
Skowkale First Nation (SEFN)
Skuppah Indian Band (NNTC)
Skwah First Nation (SHFN)

Soowahlie Indian Band
Spuzzum First Nation (SMFN) (NNTC)
Squamish Nation (SMN)
Squiala First Nation (SIFN)
St'uxwtews (Bonaparte Indian Band)
Sumas First Nation (SFN)
Tk'emlups te Secwepemc (KIB)
Tsawwassen First Nation (TAFN)
Tsleil-Waututh Nation (TWN)
Tsq'escen' (Canim Lake Band)
TZFN
Union Bar First Nations (UBFN)
Upper Nicola Band (UNB)
Upper Similkameen Indian Band (USIP)
Westbank First Nation (WBFN)
Whispering Pines/Clinton Band
Yakwekwioose Band
Yale First Nation (YFN)

**TABLE 4**  
**ABORIGINAL GROUPS - MARINE**

Cowichan Tribes
Gitksan First Nation (GFN)
Esquimalt Nation (EN)
Halalt First Nation (HFN)
Lake Cowichan First Nation (LCFN)
Lyackson First Nation (LYFN)
Malahat First Nation (MTFN)
Musqueam Nation (MMN)
Pacheedaht First Nation (PTFN)
Maa-nulth First Nations (MAFN):
• Huu-ay-aht First Nation
• Ka:yu:kth/Che:k:tlies7eth First Nation
• Toquaht First Nation
• Uchucklesaht Tribe
• Ucluelet First Nation
Pauquachin First Nation (PNFN)
Penelakut Tribe:
• Hwiltsum First Nation
Scia'new Indian Band (SIB) (Beecher Bay)
SOFN
Snaw-Naw-As (Nanoose)
Songhees Nation
Stz'uminus First Nation (SSFN) (Chemainus)
Tsartlip First Nation (TRFN)
Tsawout First Nation (TTFN)
TAFN
Tseycum First Nation
Tsleil-Waututh
T'Sou-ke First Nation (TUFN)

## **2.0 CONSULTATION AND ENGAGEMENT SUMMARY**

### **2.1 Current Engagement Activities**

Trans Mountain continues to consult and receive feedback from Aboriginal groups since the close of the NEB record in January 2016. The AER filed with BC EAO summarized consultation up to June 2016; this Report focuses on engagement activities following the filing of the AER. A detailed log of comments received by Aboriginal groups during this period is contained within the NEB Condition 96 filing (Appendix C), which was publicly filed with the NEB on June 21, 2017 (engagement period for the NEB Condition 96 filing is inclusive of engagement since Consultation Update #4 which was filed with the NEB and includes engagement activities during the period of June 2015-December 2016).

Recent consultation efforts with Aboriginal groups have focused on engagement regarding plans to meet regulatory conditions. Due to the difference in filing dates for various plans, the environmental plans have been released in stages, with the earliest plans released for comment in September, 2016. Aboriginal feedback has been captured in each one of the plans. Environmental plans filed with an Aboriginal engagement component are found within Table 12. Each of the plans referenced in Table 12 have considered and incorporated comments received from Aboriginal groups.

Emergency management is another topic Trans Mountain has been engaging on, with Aboriginal groups. A key component of enhancing the Emergency Management Program, including emergency response, is the input received from Aboriginal groups. They are providing detailed local knowledge on sites of cultural sensitivity and locations for the deployment of response equipment and mitigation measures. Part III of emergency management consultation, as described in the NEB Condition 90 report, is in progress, this includes engaging through workshops, meetings and site visits.

In addition to the environmental plans, Trans Mountain has been working with local regulatory agencies in BC regarding permit requirements. Permitting consultation provides Aboriginal groups an opportunity to comment and provide additional feedback regarding local impacts.

Due to the number of plans and permits out for review, many Aboriginal groups have asked for summary information. One of the tools used for engagement related to geographically based concerns is the Environmental Alignment Sheets (EAS) filed with the NEB as part of the Pipeline Environmental Protection Plan (EPP). The EAS provide the group a better understanding of how the information provided to date has translated into protection measures. These sheets summarize environmental protection information from Traditional Land and Marine Use, as well as wildlife, vegetation and aquatics.

Other consultation efforts include Trans Mountain work with Aboriginal groups that have entered into bi-lateral and confidential Mutual Benefits Agreements (MBAs). Trans Mountain is actively responding to requests to engage regarding Project benefits, including business, employment and training opportunities.

### **2.2 Continued and Planned Consultation**

Engagement with Aboriginal groups will continue through the pre-construction, construction, and operations stages of the Project. During each stage, Trans Mountain is committed to continued work with communities to realise opportunities to maximize Aboriginal procurement, employment and training. Trans Mountain will continue to consult on regulatory permits and environmental plans through the pre-construction stage of the Project and specific plans and permit conditions will capture appropriate mitigations based on feedback received. Details of continued and planned consultation on environmental plans can be found in Table 5 for BC EAO plans Table 6 for NEB plans.

Trans Mountain has been visiting potential control point sites with Aboriginal groups. In some areas where access to those sites were not available in 2016, Trans Mountain will be returning with Aboriginal groups in the summer of 2017 to further gather information and additional interests and concerns to incorporate into the geographic response plan.

Trans Mountain will also continue engagement with Aboriginal groups to continue to understand concerns and share information regarding mitigation measures. As some of the concerns communicated are general in nature, Trans Mountain will continue to seek additional information so the Project can appropriately avoid, minimize and mitigate the concerns expressed by Aboriginal groups.

**TABLE 5**

**ABORIGINAL CONSULTATION SCHEDULE FOR BC EAO CONDITIONS**

BC EAO Condition	NEB Condition	Details	Start of Consultation	Filing Timeline
7	7	ESA - Route Re-alignments	February 2017	March 10, 2017/ March 17, 2017
10		Aboriginal Consultation Reports (Report #1)	April 2017	June 21, 2017
11		Aboriginal Marine Outreach Program	TBC	September 30, 2019
12		Involvement of Aboriginal Groups in Construction and Post-Construction Monitoring	April 2017	June 15, 2017
13		Aboriginal Cultural Awareness and Recognition	May 2017	June 2017, September 2018 and December 2020 (details to be filed with Aboriginal Consultation Reports)
16	44	Wildlife Species at Risk Mitigation and Offset Plan - Preliminary Plan	September 2016	May 1, 2017
	44	Wildlife Species at Risk Mitigation and Habitat Restoration Plans	September 2016/February 2017 (WS)	May 1, 2017
	44	Wildlife Species at Risk Mitigation and Offset Plan - Final Plan	TBD	December 31, 2025
17	45	Weed and Vegetation Management Plan (WVMP)	September 2016	April 13, 2017
18	56	Grizzly Bear Mitigation and Monitoring Plan – North Cascades Population	September 2016/ March 2017	May 1, 2017
19	56	Grizzly Bear Mitigation and Monitoring Plan – Robson, Wells Grey and Columbia-Shuswap Populations	September 2016/ March 2017	May 1, 2017
20	36	Caribou Mitigation and Monitoring - Pre-construction Caribou Habitat Assessment	September 2016	March 1, 2017
	37a	Caribou Mitigation and Monitoring - Preliminary Caribou Habitat Restoration Plan (CHRP)	September 2016	March 1, 2017
	37b	Caribou Mitigation and Monitoring - Final CHRP	TBC	Subject to change based on growing season (2020+)
	128a	Caribou Mitigation and Monitoring - Preliminary Offset Measures Plan for Residual Effects on Caribou Habitat	TBC	2019 TBC
	128b	Caribou Mitigation and Monitoring - Final Offset Measures Plan for Residual Effects on Caribou Habitat	TBC	2019 TBC
	149	Caribou Mitigation and Monitoring - Caribou Habitat Restoration and Offset Measures Monitoring Program	TBC	2019 TBC
	150	Caribou Mitigation and Monitoring - Caribou Habitat Restoration and Offset Measures Monitoring Report(s)	TBC	2019 TBC
21	n/a	Provincial Parks and Protected Areas Offsetting - Preliminary Plan	TBC	June 30, 2019
22	47	Access Management Plan	September 2016/ February 2017 (WS)	April 13, 2017
23	59	Worker Accommodation Strategy	February 2017/R March 17	May 15, 2017
25	39	Coldwater Aquifer - Hydrological Report	Q2/Q3 2017	July 1, 2017
	130	Coldwater Aquifer - Groundwater Monitoring (contingent upon determination of aquifer vulnerability)	TBC	September 30, 2019
27	100	Archaeological – Heritage Resources	Q2/Q3 2017	June 15, 2017
33	125	Geographic Response Plans	TBC	June 30, 2019
35	N/A	Fate and Behaviour of Bitumen Research	TBC	December 31, 2020

**TABLE 6**

**ABORIGINAL CONSULTATION SCHEDULE FOR NEB CONDITIONS - PRIOR TO CONSTRUCTION**

NEB Condition	Name	Consultation Start	Due Date for Filing to the NEB
13	Socio-Economic Effect Monitoring Plan	September 26, 2016	6 months prior to construction
37	CHRP	September 26, 2016	6 months prior to construction
38	Sowaqua Spotted Owl Mitigation Plan	September 26, 2016	6 months prior to construction
40	Rare Ecological Communities and Rare Plant Population Management Plan	September 26, 2016	5 months prior to construction
41	Wetland Survey and Mitigation Plan	September 26, 2016	5 months prior to construction
42	Grasslands Survey and Mitigation Plan	September 26, 2016	5 months prior to construction
43	Watercourse Crossing Inventory	September 26, 2016	5 months prior to construction
44	Wildlife Species at Risk Mitigation and Habitat Restoration Plan (11 plans)	September 26, 2016	4 months prior to construction
45	WVMP	September 26, 2016	4 months prior to construction
47	Access Management Plan	September 26, 2016	4 months prior to construction
48	Navigation and Navigation Safety Plan	September 26, 2016	4 months prior to construction
53	Fugitive Emissions Management Plan for Westridge Marine Terminal (WMT)	September 26, 2016	4 months prior to construction
54	Fugitive Emissions Management Plan for Edmonton, Sumas and Burnaby Terminals	April 28, 2017	4 months prior to construction
56	Grizzly Bear Mitigation Plan	September 26, 2016	4 months prior to construction
71	Riparian Habitat Management Plan	September 26, 2016	3 months prior to construction
72	Pipeline EPP (and EAS)	September 26, 2016	3 months prior to construction
76	Old Growth Management Areas Mitigation and Replacement Plan	September 26, 2016	3 months prior to construction
35	Marine Sediment Management Plan	December 16, 2016	6/4 months prior to construction
46	Contamination Identification and Assessment Plan	December 16, 2016	4 months prior to construction
52	Air Emissions Management Plan for the WMT	December 16, 2016	4 months prior to construction
78	Facilities EPP	December 16, 2016	3 months prior to construction
79	Air Emissions Management Plan for Edmonton, Sumas and Burnaby Terminals	December 16, 2016	3 months prior to construction
81	WMT EPP	December 16, 2016	3 months prior to construction
72	Reactivation EPP	December 16, 2016	3 months prior to construction
72	Burnaby Tunnel EPP	December 16, 2016	3 months prior to construction
78	Temporary Construction Lands and Infrastructure EPP	September 26, 2016	3 months prior to construction
72	Volume 6 plan (Timber Salvage Management Plan Framework)	April 19, 2017	3 months prior to construction
72	Volume 6 plan (Waste Management Plan)	April 19, 2017	3 months prior to construction
72	Volume 6 plan (Acid Rock Drainage Plan)	April 19, 2017	3 months prior to construction
	Volume 6 plans (Agriculture, Biosecurity, Hydrovac cutting and disposal, Wildlife management, Water quality monitoring, Horizontal Directional Drill /Trenchless planning and procedures, water withdrawal and discharge procedures)	April 28, 2017	n/a
54	Fugitive Emissions Management Plan for Edmonton, Sumas and Burnaby Terminals	April 28, 2017	4 months prior to construction

**2.2.1 Indigenous Advisory Monitoring Committee and Economic Pathways Partnership**

The Indigenous Advisory and Monitoring Committee (IAMC) and the Economic Pathways Partnership are two initiatives being advanced by the federal government to respond to environmental and economic interests expressed during consultations. Both initiatives were announced at the time of federal decision, in November 2016. Trans Mountain continues to support both initiatives.

These measures are being designed to address impacts to rights and respond to broader issues raised during consultation - namely, Indigenous communities' role in project governance, oil spill response, and economic benefits.



## **2.2.2      *Engagement on Employment and Training***

The TMEP Employment and Training Team (the Team) have been actively involved with Aboriginal communities, employment service providers, post-secondary institutes and other training service providers to promote employment opportunities and provide training opportunities to Aboriginal People that will enhance access to employment opportunities with construction on the pipeline and related facilities.

Building on the engagement activities to date, the Team did an outreach to Aboriginal communities and organizations to provide a Project update and solicit information on career and job fairs planned for 2017. The Team attended a number of career and job fairs in both Alberta and BC to encourage participants to register online with the Trans Mountain Employment and Skills Registry ([www.transmountain.com/jobs](http://www.transmountain.com/jobs)), to share employment and training information and to answer questions regarding employment opportunities with the Project.

**TABLE 7**  
**CAREER FAIRS**

Date	Time	Location	Host Organization
January 16	9:30-17:00	Merritt, BC	Merritt Work Centre
February 3	9:30-15:30	Canim Lake, BC	Tsq'escen Indian Band
February 22	10:00-14:00	Merritt, BC	Nicola Valley Institute of Technology
February 24	10:00-15:00	Esquimalt, BC	Esquimalt First Nation
March 1	10:00-15:00	Chilliwack, BC	Sto:lo Aboriginal Skills and Employment Training
March 2	10:00-15:00	Kamloops, BC	Thompson Rivers University
March 7	10:00-16:30	Mt. Currie, BC	Sto:lo Aboriginal Skills and Employment Training
March 8	17:00-20:00	Kamloops, BC	Tk'emlups te Secwepemc
March 9	9:00-15:00	Merritt, BC	Citx Nlakapumux Assoc
March 14-15	9:00-15:00	Edmonton, Alberta	Yellowhead Tribal Development
March 8	18:00-20:00	Kamloops, BC	Tk'emlups te Secwepemc
April 20	15:00-21:00	Clearwater, BC	Clearwater Employment Office

In addition to the career and job fairs organized by third-party organizations, the Team participated in a number of community events as organized by the TMEP Stakeholder Engagement Team. With similar objectives, the Team had the opportunity to promote the employment opportunities related to the Project at the following eight community events in BC.

**TABLE 8**  
**COMMUNITY EVENTS**

Date	Time	Location
February 7	18:00-20:00	Valemount, BC
February 8	18:00-20:00	Blue River, BC
February 9	18:00-20:00	Clearwater, BC
February 21	18:00-20:00	Barriere, BC
February 22	18:00-20:00	Merritt, BC
February 23	18:00-20:00	Kamloops, BC
March 7	17:00-20:00	Hope, BC
March 8	17:00-20:00	Chilliwack, BC

As a result of the communication and promotional activities to date, Trans Mountain has received information from 2795 individuals indicating an interest in employment with the Project on its Employment and Skills Registry, as of March 29, 2017. 544 individuals self-identified as Aboriginal. The table below includes a summary of this information.

**TABLE 9**  
**SUMMARY OF EMPLOYMENT INTEREST**

Category	Alberta	BC	Rest of Canada	Outside Canada	Total
Aboriginal	183	358	3	n/a	544
Local (Non-Aboriginal)	346	760	n/a	n/a	1106
Regional (Non-Aboriginal)	137	226	n/a	n/a	363
Rest of Province (Non-Aboriginal)	319	327	56	n/a	726
Rest of Canada (Non-Aboriginal)	n/a	n/a	56	n/a	56
Outside Canada	n/a	n/a	n/a	24	24
Total	985	1671	115	24	2795

**Note:** \* Data as of March 29, 2017.

Building on the success achieved with the Trans Mountain Training Program for Aboriginal Peoples in 2014 to 2016, there are current programs taking place related to basic security training (Level 1) and traffic control training in Kamloops, BC, Merritt, BC, Hope, BC, and Chilliwack, BC. These programs resulted in approximately 130 individuals trained. Starting in July 2017, 12 women will participate in an 8-week Pipeline Construction Readiness training program with Women Building Futures, in Edmonton, Alberta.

As our partners receive confirmation of the Skills Partnership Fund proposals put forward to Employment and Social Development Canada in July 2016, 15 individuals will receive Environmental Technician training in the coming months in Chilliwack, BC, 115 in Labour Readiness training in Masckwacis, Alberta and 69 in trades training in Edmonton including the following:

- Boilermakers/Welders (5);
- Construction Craft Worker (12);
- Welder (25);
- Construction Craft Worker (12); and
- Plumber/Pipefitter/Welder (15).

Additionally, training for 14 Construction Craft Workers is currently underway with Thompson Rivers University in Kamloops, BC and training will commence shortly, for 12 participants in the Multi Industry Skills training program with Camosun College in Victoria, BC.

A proposal was submitted in January 2017 in partnership with the Alberta Aboriginal Construction Career Centre (Edmonton, Alberta) to Western Economic Diversification for 42 participants to participate in safety and construction readiness training; if successful, training is planned for Q4 of 2017 or Q1 2018. As we move forward toward construction, additional training programs focused on environmental monitoring will be planned and additional safety certification training programs will also be considered.

Participants who successfully complete a training program in partnership with the Trans Mountain Training Program for Aboriginal Peoples will be offered the opportunity to complete the Trans Mountain Consent to Collection and Disclosure of Personal Information form and receive a direct referral to Trans Mountain's contractors for consideration of employment opportunities.

In other areas, Trans Mountain continues to refine the workforce requirements in anticipation of a construction start in September 2017 and discussions will continue to take place to share information related to skill requirements, analyse community skills information collected in 2015 and develop training plans and programs to meet the workforce needs of the Project. Trans Mountain is committed to ongoing engagement with Aboriginal groups onto Project-related employment and training, with an objective to maximize opportunities for Aboriginal community members.

### **2.2.3      *Engagement on Procurement***

Trans Mountain recognizes the significant interest of Aboriginal groups to benefit from Project-related business opportunities related and is committed to maximizing such opportunities. Trans Mountain launched an online procurement registry in November 2013 as a means of learning more about business capacity. This Contractor Supplier Information Database will assist in identifying the Aboriginal businesses that have experience and capacity in areas where contract work is required so Trans Mountain and the Contractors can be assured they have an up to date list of Aboriginal businesses. In addition to the online registry, Trans Mountain also has worked directly with Aboriginal communities to assess their interest, capability and capacity, as well as to support the registration process for members.

Trans Mountain is implementing a number of business opportunity enhancement measures based on the Project requirements for goods and services and guided by the Kinder Morgan Canada Aboriginal Procurement Policy. Trans Mountain will collaborate directly with Aboriginal communities to identify areas where Aboriginal businesses require support to realize opportunities, which may include the following:

- assisting with proposal development;
- identifying potential business/joint-venture partners;
- aligning smaller companies with a Contractor;
- assisting with health and safety requirements and certifications; and
- general business support.

In addition to collaborating with communities, Trans Mountain will ensure that hired Project Contractors take the necessary steps to align with Trans Mountain's Aboriginal Procurement Policy. This will include the following:

- develop a process with Contractors to ensure information about Aboriginal, local and regional business capacity is easily accessible for Contractors;
- host procurement workshops to share information about how to participate in the procurement bid process;
- consider Aboriginal, local and regional content as a criteria of bid evaluation; and
- require Contractors to report on their Aboriginal, local and regional content.

Trans Mountain believes that by understanding the capability and capacity of Aboriginal businesses, providing business support as required, and working directly with Contractors, Trans Mountain will achieve the goal of maximizing opportunities for Aboriginal businesses.

#### **2.2.4 Aboriginal Cultural Awareness and Recognition**

In addition to its Trans Mountain Cultural Awareness Training Program, to be delivered to all Project-workers, on May 15, 2017 Trans Mountain issued a letter to Aboriginal groups requesting engagement regarding its Aboriginal Cultural Awareness and Recognition program.

*I write to respectfully initiate another dialogue with you regarding the Trans Mountain Expansion Project (TMEP). Specifically, in recognition that our Project and continued operations are within your Traditional Territory, we seek to talk with you about how we can work together to most appropriately identify opportunities for cultural awareness and recognition.*

*As we proceed through the final stages of the regulatory process and prepare for construction to start as early as August 2017 and in phases along the corridor through the end of 2019, we are committed to engaging with you directly on such matters as cultural protocol and ceremonies, as well as developing cultural awareness and understanding among our Project personnel.*

*We believe it is important for our Project activities to respect and reflect the unique culture and history of the many diverse communities it touches. Thank you in advance for your consideration and we look forward to starting this conversation with you.*

At the time of filing this Report, feedback had not been received.

### **2.3 Issues Tracking**

Trans Mountain continues to track the issues identified by Aboriginal groups and the efforts taken to avoid, minimize or offset adverse effects of the Project. Since the Issues Summary and Resolutions Table that was included in the AER filed with the BC EAO in July, 2016. Trans Mountain has worked to update the table (Appendix B) to include the most recent issues status and outcomes. This table will also be updated to reflect the comments received from Aboriginal groups following consultation on the Draft Report between April 12, 2017 and May 12, 2017.

## 2.4 Engagement on the Draft Aboriginal Consultation Report

Consultation on the Draft Report, in accordance with Condition 10 took place with Aboriginal groups between April 12, 2017 and May 12, 2017. Comments received and changes to the Report have been documented in Table 10.

**TABLE 10**

**ABORIGINAL CONSULTATION REPORT FEEDBACK**

Aboriginal Group Name	Method of Contact	Date of Consultation Activity	Aboriginal Group Feedback	Commitments/Follow-up Actions/Comments	Where Addressed
Tk'emlups te Secwepemc	Phone Call, Email	May 30, 2017	Tk'emlups te Secwepemc noted that there were concerns that had not been captured in the current Issues Summary and Resolutions Table. Tk'emlups te Secwepemc asked for additional concerns to be kept confidential.	Trans Mountain is committed to continued engagement with Tk'emlups te Secwepemc to discuss and resolve the issues that were privately identified in keeping with the spirit and confidentiality of the MBA in place.	Section 3.65, Appendix B.

**TABLE 10 Cont'd**

Aboriginal Group Name	Method of Contact	Date of Consultation Activity	Aboriginal Group Feedback	Commitments/Follow-up Actions/Comments	Where Addressed
Cowichan Tribes	Email	May 29, 2017	Cowichan Tribes communicated concern regarding the roles and responsibilities for marine issues.	Trans Mountain replied to Cowichan Tribes and committed to follow up on marine shipping issues and will detail the roles and responsibilities of Transport Canada, Western Canada Marine Response Corporation (WCMRC) and Trans Mountain regarding marine shipping.	Section 3.11, Appendix B.
			Cowichan Tribes asked for clarification if additional information was required for their TMRU.	Trans Mountain confirmed with Cowichan Tribes that additional information is not required from their TMRU.	Section 3.11, Appendix B.
AIB	Email	May 12, 2017	AIB asked for changes to the Issues Summary and Resolution Tables to better reflect AIB's concerns.	Trans Mountain has edited Appendix B to reflect AIB's feedback. This includes additional language stating that the AIB also raised concerns regarding the timing of the permitting process and their lack of internal capacity to review the application package. Trans Mountain has also deleted wording that originally stated "Ashcroft Indian Band has indicated they are satisfied with the information received" and replaced it with "The Ashcroft Band raised concerns about the lack of internal technical capacity and information on their Aboriginal interests and uses, to review, identify any concerns they may have or provide input into the application package and draft environmental plans."	Appendix B.
			AIB asked for additional wording in the summary in Section 3.3 of the Report	Trans Mountain has made the suggested additions from AIB. This included incorporating the suggested language: "The Ashcroft Band raised concerns about their lack of internal technical capacity and information on their Aboriginal interests and uses, to review, identify any concerns they may have, or provide input into application package, the draft Environmental Plans or the draft Environmental Management Plans. A priority to the AIB are long term benefits from the Project, the employment and training opportunities and component of the MBA."	Section 3.3, Appendix B.

**TABLE 10 Cont'd**

Aboriginal Group Name	Method of Contact	Date of Consultation Activity	Aboriginal Group Feedback	Commitments/Follow-up Actions/Comments	Where Addressed
Musqueam Indian Band	Letter	May 16, 2017	Musqueam Indian Band indicated they were concerned that funding was not available to review the Report.	Musqueam Indian Band was provided the opportunity to apply for a grant to help with expenses associated with permitting and ongoing engagement with Trans Mountain. This funding is still available should Musqueam Indian Band desire to apply.	Section 3.32, Appendix B
			Musqueam Indian Band indicated that Report did not meet desire for meaningful consultation.	Trans Mountain remains committed to ongoing engagement with Musqueam Indian Band and has offered to meet in-person or by-phone at Musqueam Indian Band's earliest convenience.	Section 3.32, Appendix B
			Musqueam Indian Band noted typo that required correction within Appendix B.	Trans Mountain corrected the error within Appendix B where Trans Mountain was noted instead of Musqueam Indian Band.	Appendix B.
S'olh Temexw Stewardship Alliance (STSA)	In-person Meeting	May 2, 2017	Concern expressed regarding the lack of identification of People of the River Referral Office (PRRO) and STSA as engagement groups for permitting and other referral.	Trans Mountain has changed the Report to better match the consultation and feedback undertaken by the collective organizations.	Sections 3.2, 3.7, 3.8, 3.18, 3.21, 3.44, 3.47, 4.49, 3.52, 3.54, 3.56, 3.59, 3.62, 3.64, 3.72, 3.78, 3.80,
LYFN	Letter	May 11, 2017	LYFN indicated that the issues raised to date are still outstanding and Trans Mountain has not meaningfully engaged.	Trans Mountain is available to meet with LYFN to discuss and address their concerns directly. Trans Mountain has responded to LYFN's letter with an offer to meet.	Section 3.27, Appendix B.
			LYFN indicated that funding would be required to further meaningfully engage in the Project.	Trans Mountain offered a consultation grant for LYFN to help review permitting requests and other engagement regarding Trans Mountain.	Section 3.27, Appendix B
			LYFN stated that the Ocean Protection Plan is too early in it's planning stages to know whether this will address LYFN's concerns in this area.	Trans Mountain responded to LYFN and provided information on roles and responsibilities of Transport Canada, WCMRC and Trans Mountain regarding marine shipping. Trans Mountain notes that the Ocean Protection Plan is still in progress.	Section 3.27, Appendix B

### **3.0 ABORIGINAL GROUP CONSULTATION AND ENGAGEMENT SUMMARY**

The following is a summary of engagement efforts that have taken place since the filing of the AER, for a complete engagement record please see the engagement logs contained in Appendix C.

#### **3.1 Adams Lake Indian Band**

Trans Mountain engaged ALIB regarding BC Oil and Gas Commission (BC OGC) permits and environmental plans, in compliance with NEB and EAO Conditions. In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain engaged in discussions with ALIB regarding the engagement process and the possibility of entering into a relationship agreement. As of June, 2017, ALIB has not provided feedback on the BC OGC permits or environmental plans. In October 2016, Trans Mountain met ALIB's request for an ALIB monitor to be present for geotechnical investigations within their traditional territory. Trans Mountain will continue to engage with ALIB to understand any concerns and receive feedback.

#### **3.2 Aitchelitz First Nation**

Trans Mountain engaged AFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. AFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with AFN to understand any concerns and determine any further appropriate mitigation measures.

AFN has also engaged with Trans Mountain through the Ts'elxweyeqw Tribe Limited Partnership (TTLP) on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

#### **3.3 Ashcroft Indian Band**

Trans Mountain engaged AIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, AIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with AIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain engaged AIB regarding the implementation of their MBA. Of key concern to AIB is the potential for AIB to provide an Aboriginal Monitor to work on the Project. Trans Mountain is working with AIB regarding meeting this request, and applicable training. AIB also expressed an interest to understand Archeology work completed to date and Trans Mountain provided copies of all Archeological Impact Assessments (AIAs) completed on the Project for AIA to review.

AIB raised concerns about their lack of internal technical capacity and information on their Aboriginal interests and uses, to review, identify any concerns they may have, or provide input into application package, the draft Environmental Plans. A priority to the AIB are long term benefits from the Project, the employment and training opportunities and component of the MBA. Trans Mountain will continue to engage with AIB, implement the MBA, to understand any concerns and receive feedback.

#### **3.4 Boothroyd Indian Band**

Trans Mountain engaged Boothroyd Indian Band (BIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, BIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with BIB to understand any concerns and receive feedback.

BIB has chosen to engage regarding in BC OGC permits and environmental plans through the NNTC. Trans Mountain met with NNTC in October 2016 and provided a summary of the Project to date. NNTC was interested to review the mapping information provided by Trans Mountain in digital form and Trans



Mountain provided digital files, which are currently under review. NNTC and Trans Mountain continue to work together to determine the best course for engagement regarding the Project as its potential impact to NNTC member Bands.

### **3.5 Boston Bar Indian Band**

Trans Mountain engaged Boston Bar Indian Band (BBIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, BBIB has not provided specific feedback on the BC OGC permits or environmental plans; however, they did communicate to Trans Mountain not to anticipate receipt of feedback as they prefer to defer to Aboriginal groups located within a closer proximity to the Project footprint. Trans Mountain will continue to engage with BIB to understand any concerns and receive feedback.

### **3.6 Canim Lake Indian Band**

Trans Mountain engaged Canim Lake Indian Band (CLIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, CLIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with CLIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain engaged CLIB regarding the implementation of their MBA. Of priority for CLIB is the employment and training portion of the Agreement. Trans Mountain has worked with CLIB to provide information, support the Bridges to Trades training program in partnership with Nicola Valley Institute of Technology, and attended a job fair hosted in the community.

### **3.7 Chawathil First Nation**

Trans Mountain engaged CLFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. CLFN are members of the STSA and have chosen to engage regarding these permits and plans through the PRRO the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with CLFN to understand any concerns and receive feedback..

### **3.8 Cheam First Nation**

Trans Mountain engaged CMFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. CMFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with CMFN and the STSA to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged CMFN the implementation of their MBA. Of priority to CMFN is the commitment to maximize business opportunities. Trans Mountain has been engaging with CMFN to determine capability and capacity of CMFN and to provide information on opportunities.

CMFN and Trans Mountain met regarding the emergency response geographical response plan. CMFN provided feedback on control points within their Traditional Territory. Due to adverse weather, a site visit was postponed until 2017. CMFN also participated in a water based emergency response deployment exercise in August 2016.

For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.9 Coldwater Indian Band**

Trans Mountain engaged CIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, CIB has not provided feedback on the BC OGC permits or environmental plans. CIB expressed concerns regarding the timing of the permit process and the lack of internal capacity for reviewing the application package. CIB has indicated an interest in understanding

Trans Mountain's Groundwater Management Plan, but has yet to provide specific feedback on this Plan. Trans Mountain will continue to engage with CIB to understand any concerns and receive feedback.

Trans Mountain is working collaboratively with CIB to complete a hydrogeological study.

### **3.10 Cooks Ferry Indian Band**

Trans Mountain engaged Cooks Ferry First Nation (CFIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, CFIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with CFIB to understand any concerns and receive feedback.

### **3.11 Cowichan Tribes**

Trans Mountain engaged Cowichan Tribes regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, Cowichan Tribes has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with Cowichan Tribes to understand any concerns and receive feedback.

Cowichan Tribes engaged on the Aboriginal Consultation Report and noted concerns regarding marine shipping issues. Trans Mountain has provided additional information on roles and responsibilities of Transport Canada, WCMRC and Trans Mountain regarding marine shipping. Cowichan Tribes also asked for clarification on the TMRU that was submitted by them. Trans Mountain confirmed that they did not require additional information from Cowichan Tribes at this time.

### **3.12 Ditidaht First Nation**

Trans Mountain engaged DFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, DFN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with DFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged DFN regarding the implementation of their MBA.

Trans Mountain extended an invitation to attend a WMT workshop regarding environmental protection and construction. DFN did not respond to the invitation.

### **3.13 Esquimalt Nation**

Trans Mountain engaged EN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, EN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with EN to understand any concerns and determine any further appropriate mitigation measures.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged EN regarding the implementation of their MBA. Trans Mountain has provided additional consultation opportunities to attend an environmental workshop on WMT.

### **3.14 Hwlitsum First Nation**

Trans Mountain has engaged Hwlitsum First Nation (HMFN) regarding the implementation of the MBA in place. Trans Mountain has provided information based on HMFN interest in procurement, employment and training opportunities.

### **3.15 Halalt First Nation**

Trans Mountain engaged HFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, HFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with HFN to understand any concerns and receive feedback.

In addition to engaging on NEB Conditions and BC OGC Permits, Trans Mountain has engaged HFN regarding the implementation of their MBA.

### **3.16 Katzie First Nation**

Trans Mountain engaged KAFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. KAFN expressed concern with the lack of capacity to review permit referrals and, as a result, Trans Mountain provided a consultation grant for this purpose; however, KAFN has not provided feedback on the BC OGC permits or environmental plans to date. Trans Mountain will continue to engage with KAFN to understand any concerns and determine any further appropriate mitigation measures.

### **3.17 Kwantlen First Nation**

Trans Mountain engaged KWFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, KWFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with KWFN to understand any concerns and receive feedback.

KWFN met with Trans Mountain and expressed concerns regarding spills and negative impacts to KWFN's rights and title. Trans Mountain provided information on environmental mitigations currently in place that addressed KWFN's concerns.

### **3.18 Kwaw-Kwaw Apilt First Nation**

Trans Mountain engaged Kwaw-Kwaw Apilt First Nation (KKFN) regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. KKFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with KKFN to understand any concerns and receive feedback.

KKFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.19 Kwikwetlem First Nation**

Trans Mountain engaged KFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, KFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with KFN to understand any concerns and receive feedback.

KFN and Trans Mountain have engaged in technical workshops regarding environmental planning on the Project. KFN indicated that they were concerned with lack of title and rights consideration to date. Trans Mountain provided KFN with additional capacity funding to study the potential impacts of the Project on KFN title and rights. KFN has a study currently underway regarding TLRU information. Once Trans Mountain receives results from this TLRU study, this information will be captured in the report filed for NEB Condition 97.

KFN and Trans Mountain have also engaged on emergency response. KFN and Trans Mountain met to discuss the geographical response plans and associated field work. KFN provided information on unique tides in the region, as well as identified a potential control point.

### **3.20 Lake Cowichan First Nation**

Trans Mountain engaged LCFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, LCFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LCFN to understand any concerns and receive feedback.

In addition to engaging on NEB Conditions and BC OGC Permits, Trans Mountain has engaged LCFN regarding the implementation of their MBA. Trans Mountain has provided information based on LCFN interest in procurement, and employment and training opportunities.

### **3.21 Leq'a:mel First Nation**

Trans Mountain engaged LLFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. LLFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with LLFN to understand any concerns and determine any further appropriate mitigation measures.

For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.22 Lheidli T'enneh Band**

Trans Mountain engaged Lheidli T'enneh Band (LTB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LTB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LTB to understand any concerns and receive feedback.

### **3.23 Lhtako Dene Nation**

Trans Mountain engaged LDN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LDN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LDN to understand any concerns and receive feedback.

### **3.24 Little Shuswap Indian Band**

Trans Mountain engaged LSLIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LSLIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LSLIB to understand any concerns and receive feedback.

### **3.25 Lower Nicola Indian Band**

Trans Mountain engaged LNIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LNIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LNIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged LNIB regarding the implementation of their MBA. Trans Mountain has been working with LNIB regarding identifying and maximizing procurement opportunities.

LNIB communicated an interest to be involved in archeology work and Trans Mountain created opportunity for LNIB representatives to participate in the 2016 field season.

### **3.26 Lower Similkameen Indian Band**

Trans Mountain engaged LSIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LSIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LSIB to understand any concerns and receive feedback.

### **3.27 Lyackson First Nation**

Trans Mountain engaged LYFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, LYFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with LYFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, has provided information based on LYFN interest in procurement, and employment and training opportunities.

LYFN provided a written response to the draft Report stating that their concerns were still outstanding, and Trans Mountain has not meaningfully engaged, and has not provided the capacity required for a more fulsome engagement process. Trans Mountain has replied to LYFN with a request to meet at their earliest convenience to discuss a continued engagement process to address their ongoing concerns. LYFN has also been provided the opportunity to apply for a consultation grant to help offset the costs of permitting and other related engagement.

### **3.28 Lytton First Nation**

Trans Mountain engaged LFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, LFN has not provided specific feedback on the BC OGC permits or environmental plans; however, they have chosen to engage regarding in BC OGC permits and environmental plans through the NNTC. Trans Mountain met with NNTC in October and provided a summary of the Project to date. NNTC was interested in being able to review the mapping information provided by Trans Mountain in digital form. Trans Mountain has provided digital files which are currently under review. NNTC and Trans Mountain continue to work together to determine the best course for engagement regarding the Project as it impacts NNTC member Bands.

Trans Mountain will also continue to engage with LFN directly to understand any concerns and receive feedback.

### **3.29 Maa-nulth First Nations**

MAFN engagement includes the following individual Aboriginal groups: Uchucklesaht Tribe, Ucluelet First Nation, Huu-ay-aht First Nations, Ka:yu:kth/Che:ktles7eth First Nation, Toquat First Nation. Trans Mountain provided MAFN the opportunity to attend a workshop regarding the Westridge Terminal environment and construction plans.

### **3.30 Malahat First Nation**

Trans Mountain engaged MTFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, MTFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with MTFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged MTFN regarding the implementation of their MBA. Trans Mountain has provided information based on MTFN interest in employment and training opportunities.

MTFN expressed an interest to tour a tanker at the WMT and Trans Mountain is working with MTFN to arrange a suitable date for a tour.

### **3.31 Matsqui First Nation**

Trans Mountain engaged MFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, MFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with MFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged MFN regarding the implementation of their MBA. Priority issues for MFN are contained in the employment

and training portion of the MBA. Trans Mountain has worked with MFN to provide relevant information, including sharing information on training opportunities in the local area.

MFN and Trans Mountain met regarding the emergency response geographical response plan. MFN provided a suggestion for an additional control point within their Traditional Territory.

### **3.32 Musqueam Nation**

Trans Mountain engaged MMN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, MMN has not provided feedback on the BC OGC permits or environmental plans. MMN expressed concerns regarding capacity to understand and study the referrals. Trans Mountain will continue to engage with MMN to understand any concerns and receive feedback.

Trans Mountain provided MMN opportunities to participate in a WMT environmental workshop, as well as a water deployment exercise for emergency response training; however, MMN declined to participate.

MMN engaged on the draft Report when it went out for review. MMN stated concern the Report did not include additional capacity funding for review. Trans Mountain had previously offered grant funding to MMN to help with permitting reviews and other engagement, which is still available for MMN. Trans Mountain remains available to meet with MMN at their earliest convenience to engage in a way that MMN would find meaningful.

### **3.33 Neskonlith Indian Band**

Trans Mountain engaged NIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, NIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with NIB to understand any concerns and receive feedback.

### **3.34 Nooaitch Indian Band**

Trans Mountain engaged NHIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, NHIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with NHIB to understand any concerns and receive feedback.

NHIB participated in the review of AIA reports, and provided personnel to participate in archeology fieldwork within the NHIB Traditional Territory.

Trans Mountain has been working with NHIB to understand their concerns and to develop appropriate mitigations for geotechnical drilling within NHIB Traditional Territory.

### **3.35 Okanagan Indian Band**

Trans Mountain engaged OIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, OIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with OIB to understand any concerns and receive feedback.

### **3.36 Oregon Jack Creek Indian Band**

Trans Mountain engaged Oregon Jack Creek Indian Band (OJCIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, OJCIB has not provided specific feedback on the BC OGC permits or environmental plans; however, OJCIB has chosen to engage regarding in BC OGC permits and environmental plans through the NNTC. Trans Mountain met with NNTC in October and provided a summary of the Project to date. NNTC was interested in being able to review the mapping information provided by Trans Mountain in digital form. Trans Mountain has provided digital files, which are currently under review. NNTC also inquired regarding information on archeology work completed to date. Trans Mountain provided NNTC all of the AIA reports completed to date for review. Further to this direction by OJCIB, NNTC and Trans Mountain continue to work together

to determine the best course for engagement regarding the Project and its impacts to NNTC member Bands.

### **3.37 Pacheedaht First Nation**

Trans Mountain engaged PTFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, PTFN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with PTFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged PTFN regarding the implementation of their MBA. Trans Mountain has facilitated discussion and provided information based on PTFN interest in WCMRC.

Trans Mountain extended an invitation for PTFN to attend a WMT workshop regarding environmental protection and construction; however, PTFN did not respond to the invitation.

### **3.38 Pauquachin First Nation**

Trans Mountain engaged PNFN regarding environmental plans concerning NEB and EAO Conditions. As of June, 2017, PNFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PNFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged PNFN regarding the implementation of their MBA. Trans Mountain has provided information based on PNFN interest in employment and training opportunities.

Trans Mountain extended an invitation for PNFN to attend a WMT workshop regarding environmental protection and construction, as well as an invite to tour a tanker at WMT. PNFN did not respond to either invitation with participants.

### **3.39 Penelakut First Nation**

Trans Mountain engaged Penelakut First Nation (PEFN) regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, PEFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PEFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged PEFN regarding the implementation of their MBA.

### **3.40 Penticton Indian Band**

Trans Mountain engaged PIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, PIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PIB to understand any concerns and receive feedback.

### **3.41 Peters First Nation**

Trans Mountain engaged Peters First Nation (PFN) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, PFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged PFN regarding the implementation of their MBA. Trans Mountain has provided information based on PFN interest in procurement, and employment and training opportunities. Trans Mountain and PFN have discussed tenure and permitting issues as it relates to the Peters Band IR crossing.

PFN and Trans Mountain met regarding the emergency response geographical response plan. PFN also participated in fieldwork regarding the plan's control points. PFN were satisfied with the approach taken to

date, and were interested in receiving the drafted geographical response plan for further review and feedback.

### **3.42 Popkum First Nation**

Trans Mountain engaged PMFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, PMFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PMFN to understand any concerns and determine any receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged PMFN regarding the implementation of their MBA. Trans Mountain and PMFN have discussed tenure and permitting issues as it relates to the Popkum Band IR crossing.

### **3.43 Scia'new Indian Band (Beecher Bay)**

Trans Mountain engaged SIB regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged SIB regarding the implementation of their MBA. Trans Mountain has provided information based on SIB interest in procurement, and employment and training opportunities. SIB has also been involved in developing a dock site for WCMRC operations expansion.

### **3.44 Scowlitz First Nation**

Trans Mountain engaged SZFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SZFN are members of STSA and have chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. SZFN has also engaged with Trans Mountain through TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80. Trans Mountain will continue to engage with SZFN to understand any concerns and receive feedback.

### **3.45 Seabird Island Band**

Trans Mountain engaged Seabird Island Band regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, Seabird Island Band has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with Seabird Island Band to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged Seabird Island Band regarding the implementation of their MBA. Trans Mountain has provided information based on Seabird Island Band interest in procurement, and employment and training opportunities.

Seabird Island Band and Trans Mountain met regarding the emergency response geographical response plan and associated fieldwork. Seabird Island Band provided feedback on local interests and concerns as it related to the geographical response plan and control points within their Traditional Territory.

### **3.46 Semiahmoo First Nation**

Trans Mountain engaged SOFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SOFN has not provided feedback on the BC OGC permits or environmental plans. In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged SOFN regarding the implementation of their MBA. Trans Mountain extended an invitation to attend a WMT workshop regarding environmental protection and construction; however, SOFN did not respond to the invitation. Trans Mountain will continue to engage with SOFN to understand any concerns and receive feedback.



### **3.47 Shxw'ow'hamel First Nation**

Trans Mountain engaged SLFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. SLFN are members of STSA and have chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. For an engagement summary relating to collective organizations, please see Section 3.80.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged SLFN regarding the implementation of their MBA. Trans Mountain has provided information based on SLFN interest in business, and employment and training opportunities. In addition to discussion of benefits, Trans Mountain has been working with SLFN on tenure for the SLFN IR crossing. Trans Mountain will continue to engage with SLFN to understand any concerns and receive feedback.

SLFN and Trans Mountain met regarding the emergency response geographical response plan. SLFN provided feedback on local interests and concerns as it related to the geographical response plan and control points within their Traditional Territory.

### **3.48 Shackan Indian Band**

Trans Mountain engaged SHIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SHIB has not provided feedback on the BC OGC permits or environmental plans.

During the consultation period, SHIB and Trans Mountain were negotiating towards an MBA; however, it a proposed MBA was not ratified in a community vote. Trans Mountain will continue to engage with SHIB to understand any concerns and receive feedback.

### **3.49 Shxwhá:y Village**

Trans Mountain engaged Shxwhá:y Village regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. Shxwhá:y Village are members of the STSA and have chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications.

Shxwhá:y Village has also engaged with Trans Mountain through TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

Trans Mountain will continue to engage with Shxwhá:y Village, as well as STSA and PRRO, to understand any concerns and receive feedback.

### **3.50 Siska Indian Band**

Trans Mountain engaged SAIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SAIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SAIB to understand any concerns and receive feedback.

### **3.51 Simpcw First Nation**

Trans Mountain engaged SN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SN has provided preliminary feedback on the BC OGC permits and environmental plans and Trans Mountain will continue to engage with SN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged SN regarding the implementation of their MBA. Trans Mountain has provided information based on SN interest in procurement, and employment and training opportunities.

SN participated in the 2016 archeology field season and Trans Mountain also provided AIAs for SN to review and provide comment.

SN and Trans Mountain met regarding the emergency response geographical response plan. SN provided feedback on local interests and concerns as it related to the geographical response plan and control points within their Traditional Territory.

### **3.52 Skawahlook First Nation**

Trans Mountain engaged SKFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SKFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with SKFN to understand any concerns and receive feedback. For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.53 Skeetchestn Indian Band**

SNIB has opted to engage on the Project mostly through their Nation, Stk'emlupsemc Te Secwepemc Nation (SSN) which is comprised of both SNIB and Tk'emlups te Secwepemc (KIB). For the purposes of summarizing engagement, the record below covers engagement with SNIB and SSN.

Trans Mountain engaged SNIB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SNIB has not provided specific feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SNIB to understand any concerns and determine any further appropriate mitigation measures. SSN expressed concern regarding the routing in the Jacko Lake area and Trans Mountain provided information regarding routing in area including maps.

SNIB participated in the 2016 archeological field season, sending field crews into sites within their Traditional Territory including Lac du Bois conservation area.

Through the consultation period, Trans Mountain and SSN have explored the potential for an MBA; engagement is ongoing. Trans Mountain will continue to engage with SNIB and SSN to understand any concerns and receive feedback.

### **3.54 Skowkale First Nation**

Trans Mountain engaged SEFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SEFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications.

SEFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For feedback and discussions relating to these collective organizations, please see Section 3.80.

Trans Mountain will continue to engage with SEFN to understand any concerns and determine any further appropriate mitigation measures.

### **3.55 Skuppah Indian Band**

Trans Mountain engaged Skuppah Indian Band regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, Skuppah Indian Band has not provided specific feedback on the BC OGC permits or environmental plans; however, Skuppah Indian Band has chosen to engage regarding in BC OGC permits and environmental plans through the NNTC.

Trans Mountain met with NNTC in October 2016 and provided a summary of the Project to date. NNTC was interested in being able to review the mapping information provided by Trans Mountain in digital form. Trans Mountain has provided digital files, which are currently under review. NNTC also inquired regarding information on archeology work completed to date. Trans Mountain provided NNTC all AIA reports completed to date. Further to SHIB instruction, NNTC and Trans Mountain continue to work together to determine the best course for engagement regarding the Project and its impacts to NNTC

member Bands. Trans Mountain will continue to engage with SHIB and NNTC to understand any concerns and receive feedback.

### **3.56 Skwah First Nation**

Trans Mountain engaged SHFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SHFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with SHFN to understand any concerns and receive feedback.

SHFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to these collective organizations, please see Section 3.80.

### **3.57 Snaw'Naw'As Nation**

Trans Mountain engaged Snaw'Naw'As Nation (SAN) regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, SAN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SAN to understand any Project concerns and receive feedback.

### **3.58 Songhees First Nation**

Songhees First Nation requested that Trans Mountain suspend its engagement with Songhees First Nation, and not send referrals, with respect to the Project. Trans Mountain remains committed to engaging with Songhees First Nation should this direction change.

### **3.59 Soowahlie First Nation**

Trans Mountain engaged Soowahlie First Nation (SWFN) regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SWFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with SWFN to understand any concerns and receive feedback.

SWFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.60 Spuzzum First Nation**

Trans Mountain engaged SMFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, SMFN has not provided specific feedback on the BC OGC permits or environmental plans; however, SMFN has chosen to engage regarding in BC OGC permits and environmental plans through the NNTC. Trans Mountain met with NNTC in October and provided a summary of the Project to date. NNTC was interested in being able to review the mapping information provided by Trans Mountain in digital form. Trans Mountain has provided digital files which are currently under review. NNTC also inquired regarding information on archeology work completed to date. Trans Mountain provided NNTC all of the AIA reports completed to date for review.

Further to SMFN instruction, NNTC and Trans Mountain continue to work together to determine the best course for engagement regarding the Project and its impacts to NNTC member Bands. Trans Mountain will continue to engage with SMFN and NNTC to understand any concerns and receive feedback

### **3.61 Squamish Nation**

Trans Mountain engaged SMN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, SMN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SMN to understand any concerns and receive feedback.

Trans Mountain extended an invitation for SMN to attend a WMT workshop regarding environmental protection and construction; however, SMN declined to send any participants.

### **3.62 Squiala First Nation**

Trans Mountain engaged SIFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SIFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with SIFN to understand any concerns and receive feedback.

SIFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.63 Stz'uminus (Chemainus) First Nation**

Trans Mountain engaged SSFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SSFN noted that they would not accept consultation grant funding to review permits as they were opposed to the Project. As of June, 2017, SSFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with SSFN to understand any concerns and receive feedback.

### **3.64 Sumas First Nation**

Trans Mountain engaged SFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. SFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with SFN to understand any concerns and receive feedback.

SFN and Trans Mountain met regarding the emergency response geographical response plan. SFN provided feedback on local interests and concerns as it related to the geographical response plan and control points within their Traditional Territory. SFN indicated they would like further involvement in fieldwork in 2017. SFN was invited and sent representatives to participate a Sumas Terminal Fire Training Exercise in November 2016 that was organized by Trans Mountain.

For an engagement summary relating to these collective organizations, please see Section 3.80.

### **3.65 Tk'emlups te Secwepemc**

Trans Mountain engaged Tk'emlups te Secwepemc ( KIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, KIB has provided feedback limited to the process regarding BC OGC permits and environmental plans. Trans Mountain will continue to engage with KIB to understand any concerns and receive feedback.

KIB expressed concerns regarding the number of permits to review. Trans Mountain and KIB have worked together to develop a consultation protocol which would include the engagement process for permit referrals and environmental plans. While this is close to completion, it has not been finalized at time of filing.

KIB provided participants to work through the 2016 archeology field season, and were provided each of the archeology impact assessment (AIA) reports for review and comment.

KIB expressed interest in understanding remediation and restoration work. Trans Mountain determined that the 2006 Anchor Loop Project would provide a relevant case study for KIB to observe vegetation remediation and reclamation approximately 10-years after construction. KIB participated in a Jasper Park remediation tour for two days in September 2016. KIB noted it was a valuable experience to understand the work and care taken by Trans Mountain to recover natural features and vegetation post-construction.

Trans Mountain and KIB are working together on the implementation of their MBA. During the consultation period, priority topics highlighted for implementation included maximizing employment, training and business opportunities on the Project. KIB also internally approved and began a Cultural and Heritage Study (funded through the MBA) for within the Project corridor in partnership with Stk'emlupsemc Te Secwepemc (SSN). Any results communicated from this study prior to construction will be incorporated into the NEB Condition 97 filing.

KIB and Trans Mountain met regarding the emergency response geographical response plan. KIB participated in fieldwork associated with the control points within their Traditional Territory.

KIB communicated additional issues to Trans Mountain as part of the engagement on the Aboriginal Consultation Report. These new issues were asked to be kept confidential. Trans Mountain is committed to continued meetings with TteS to discuss and work to resolve the issues that were privately identified in keeping with the spirit and intent of the MBA in place.

### **3.66 Tsartlip First Nation**

Trans Mountain engaged TRFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, TRFN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with TRFN to understand any concerns and receive feedback.

Trans Mountain extended an invitation for TRFN to attend a WMT workshop regarding environmental protection and construction; however, TRFN did not respond to the invitation.

### **3.67 Tsawout First Nation**

Trans Mountain engaged TTFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, TTFN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with TTFN to understand any concerns and receive feedback.

Trans Mountain extended an invitation for TFN to attend a WMT workshop regarding environmental protection and construction; however, TTFN did not respond to the invitation.

### **3.68 Tsawwassen First Nation**

Trans Mountain engaged TAFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, TAFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with TAFN to understand any concerns and receive feedback.

Trans Mountain extended an invitation for TAFN to attend a WMT workshop regarding environmental protection and construction; however, TAFN did not respond to the invitation.

### **3.69 Tseycum Indian Band**

Trans Mountain engaged Tseycum Indian Band (TIB) regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, TIB has not provided feedback on the environmental plans. Trans Mountain will continue to engage with TIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged TIB regarding the implementation of their MBA. Trans Mountain has provided information based on TIB interest in employment and training opportunities.

TIB expressed interest in understanding marine spill response. Following, Trans Mountain provided information regarding marine traffic and facilitated an introduction between TIB and WCMRC to discuss

opportunities to work together on geographic response planning. TIB participated in a tanker tour at WMT with Trans Mountain.

### **3.70 Tsleil-Waututh Nation**

Trans Mountain engaged TWN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. As of June, 2017, TWN has not provided feedback on the BC OGC permits or environmental plans. TWN has indicated that it would not support permits or projects that contributed to the TMEP. Trans Mountain will continue to engage with TWN to understand any concerns and receive feedback.

Trans Mountain proposed to discuss enhancement of the Westridge Emergency Response Plan; however, TWN has not expressed an interest to date to enter into those discussions

### **3.71 T'Sou-ke First Nation**

Trans Mountain engaged TUFN regarding environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, TUFN has not provided feedback on the environmental plans. Trans Mountain will continue to engage with TUFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions, Trans Mountain has engaged TUFN regarding the implementation of their MBA. Trans Mountain has provided information based on TUFN interest in emergency response.

Trans Mountain extended an invitation for TUFN to attend a WMT workshop regarding environmental protection and construction. TUFN expressed an interest in attending the workshop, but due to lack of participants, the workshop was postponed.

### **3.72 Tzeachten First Nation**

Trans Mountain engaged TZFN regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. TZFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with TZFN to understand any concerns and receive feedback.

TZFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. TZFN concluded a separate MBA with Trans Mountain and has engaged with Trans Mountain regarding the implementation of their MBA. Trans Mountain is also working in with TZFN regarding the provision of a TZFN's development permit (under their Land Code) granting permission for Trans Mountain to cross their IR.

For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.73 Union Bar First Nations**

Trans Mountain engaged UBFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, UBFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with UBFN to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged UBFN regarding employment and training, and business opportunities.

### **3.74 Upper Nicola Band**

Trans Mountain engaged UNB regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017 UNB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with UNB to understand any concerns and receive feedback.

UNB participated in the 2016 archeological field season. UNB also provided preliminary information regarding TLRU that intersected the Kingsvale Transmission Line.

Throughout the consultation period, Trans Mountain and UNB explored opportunities to partner through an MBA. UNB expressed concern with the challenges of community support and ratification process; Trans Mountain awaits direction from UNB to discuss appropriate next steps.

### **3.75 Upper Similkameen Indian Band**

Trans Mountain engaged USIP regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, USIP has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with USIP to understand any concerns and receive feedback.

### **3.76 Westbank First Nation**

Trans Mountain engaged WBFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, WBFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with WBFN to understand any Project concerns and receive feedback.

### **3.77 Whispering Pines/Clinton Indian Band**

Trans Mountain engaged Whispering Pines/Clinton Indian Band (WPCIB) regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, WPCIB has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with WPCIB to understand any concerns and receive feedback.

In addition to engaging on NEB and EAO Conditions and BC OGC Permits, Trans Mountain has engaged WPCIB regarding the implementation of their MBA; including, presenting information regarding the Project; and, presenting, MBA clauses and employment and training to WPCIB members during a community meeting in December 2016.

WPCIB and Trans Mountain met regarding the emergency response geographical response plan. WPCIB provided feedback on a potential additional control point for addition to the plan, and participated in field work.

### **3.78 Yakwekwioose First Nation**

Trans Mountain engaged Yakwekwioose First Nation (YKFN) regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions. YKFN are members of the STSA and has chosen to engage regarding these permits and plans through the PRRO, the operational wing of the STSA responsible for receiving and processing development applications. Trans Mountain will continue to engage with YKFN to understand any concerns and receive feedback.

AFN has also engaged with Trans Mountain through the TTLP on issues related to benefit agreement negotiations. For an engagement summary relating to collective organizations, please see Section 3.80.

### **3.79 Yale First Nation**

Trans Mountain engaged YFN regarding BC OGC permits and environmental plans, in compliance with NEB and EAO Conditions. As of June, 2017, YFN has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with YFN to understand any concerns and receive feedback.

YFN has also expressed an interest in Project benefits, including employment, training, and business opportunities. Trans Mountain has provided information regarding local training opportunities and procurement information to YFN.

### **3.80 Collective Organizations**

#### **3.80.1 S'olh Temexw Stewardship Alliance**

Member Bands:

The STSA consists of the following 16 Bands:

- Aitchelitz;
- Chawathil;
- Cheam;
- Kwaw'Kwaw'Apilt;
- Leq'a:mel;
- Scowlitz;
- Shxwha;y Village;
- Shxwowhamel;
- Skawahlook;
- Skowkale;
- Skwah;
- Soowahlie;
- Squiala;
- Sumas;
- Tzeachten; and
- Yakweakwioose.

The STSA is the political body and representative leadership that guides all engagement and consultation processes on behalf of their 16 members.

The PRRO is the STSA's operational office that is responsible for receiving and processing all development applications located within S'olh Temexw (Traditional territory of the STSA). Trans Mountain has been engaged with the STSA regarding BC OGC permits and environmental plans concerning NEB and EAO Conditions.

Trans Mountain engaged the PRRO regarding BC OGC permits and environmental plans, in compliance with NEB Conditions. Trans Mountain offered grant funding to assist in this review. PRRO expressed concern with the amount of grant funding offered and noted challenges with accepting the digital OGC permit data that was provided to them. As of June, 2017 PRRO has not provided feedback on the BC OGC permits or environmental plans. Trans Mountain will continue to engage with PRRO to understand any concerns and determine any further appropriate mitigation measures that may be required.



### **3.80.2 Sto:lo Collective**

Member Bands:

The Sto:lo Collective consists of the following 16 Bands:

- Aitchelitz;
- Chawathil (until 2014);
- Cheam (until 2014);
- Kwaw'Kwaw'Apilt;
- Leq'a:mel;
- Scowlitz;
- Shxwha;y Village;
- Shxwowhamel (until June 5, 2014);
- Skawahlook;
- Skowkale;
- Skwah;
- Soowahlie;
- Squiala;
- Sumas;
- Tzeachten; and
- Yakweakwioose.

The 16 members of the STSA applied on February 11, 2014 as Intervenor in the NEB hearing process, under the name Sto:lo Collective. Shx'ow'hamel, Cheam and Chawathil First Nations subsequently withdrew as intervenors. Trans Mountain engaged with the STSA via the Sto:lo Collective during the NEB hearing process and is now engaging with the STSA through the PRRO.

### **3.80.3 Ts'elxweyeqw Tribe Limited Partnership**

Member Bands:

The TTLP consists of the following individual Bands:

- Aitchelitz;
- Kwaw'Kwaw'Apilt;
- Shxwha;y Village;
- Skowkale;
- Skwah;
- Soowahlie;

- Squiala;
- Tzeachten; and
- Yakweakwioose.

Engagement and feedback during consultation period: TTLP has engaged with Trans Mountain on issues related to benefit agreement negotiations. For engagement respecting BC OGC permits and environmental plans, see Section 3.80.1

## 4.0 TRADITIONAL LAND RESOURCE USE AND TRADITIONAL MARINE RESOURCE USE

Information gathered from Aboriginal groups during the planning phase has been incorporated into construction-related documents including the EPP and the EAS. The results of the TLRU and TMRU studies have been provided to the NEB, as referenced in Table 11, in the form of TLRU and TMRU reports. Information regarding TLRU studies received since August 2015 was provided to the NEB 60 days prior to construction in the form of a TLRU Investigation Report, in compliance with NEB Condition 97. Aboriginal Groups who had their information received and incorporated in the Condition 97 Report include: Alexander First Nation, Sunchild First Nation, Sucker Creek First Nation, Shackan Indian Band and Upper Nicola Band. In addition the Condition 97 report also included information on additional field reconnaissance by Nakcowinewak Nation of Canada and Gunn Metis Local 55. The details of how sites were identified and mitigated are contained within the TLRU Investigation Report.

Some clarity is still required for TLRU and TMRU information submitted by Aboriginal groups. In the cases where the information is too broad or not site specific, Trans Mountain will continue to work with those Aboriginal groups to clarify their interest and concerns so that appropriate mitigation measures are identified.

Environmental plans currently filed with the NEB consider both the input from Aboriginal consultation efforts, and consider TEK, TLRU and TMRU information. These environmental plans and their corresponding sections that highlight Aboriginal group input are located in Table 12. Draft environmental plans that are currently out for review have already addressed the information previously on record from Aboriginal groups, these draft plans can be viewed at:

<https://www.transmountain.com/environmental-plans>.

**TABLE 11**

### TEK, TLRU AND TMRU INFORMATION

TLRU/TMRU/TEK Filings and Updates		
TMEP Facility Application - Volume 5A ESA Biophysical	December 16, 2013	<a href="#">A56004</a>
TMEP Facility Application - Volumes 5B ESA Socioeconomic	December 16, 2013	<a href="#">A56004</a>
TMEP Facility Application - Volume 8B Marine Traditional Resource Use	December 16, 2013	<a href="#">A3S4K3</a>
Supplemental Traditional Land and Resource Technical Report and Supplemental Traditional Marine Resource Use Technical Report No. 1	July 21, 2014	<a href="#">A61882</a>
Errata-Supplemental TMRU Technical Report and Letters	August 13, 2014	<a href="#">A62227</a>
Errata-Supplemental TLRU Technical Report	September 2, 2014	<a href="#">A4A6X4</a>
Stó:lō Collective Integrated Cultural Assessment (Appendices A, C, D and E)	October 2, 2014	<a href="#">A63223</a>
Cover Letter re: Supplemental TLRU and TMRU reports	December 1, 2014	<a href="#">A4F5D0</a>
Supplemental Traditional Land and Resource Use Technical Report No. 2	December 1, 2014	<a href="#">A4F5D1</a>
Supplemental Traditional Marine Resource Use Report No. 2	December 1, 2014	<a href="#">A4F5D2</a>
Supplemental Traditional Land and Resource Use Technical Report No. 3	February 3, 2015	<a href="#">A4H1X0</a>
Supplemental Traditional Marine Resource Use Report No. 3	August 20, 2015	<a href="#">A4S7I8</a>
Supplemental Traditional Land and Resource Use Technical Report No. 4	August 20, 2015	<a href="#">A4S7I7</a>
Traditional Land Use and Traditional Marine Resource Use Investigation Report, NEB Condition 97	June 16, 2017	<a href="#">A5R4Y8</a>

**TABLE 12**

### FILED NEB PLANS WITH FEEDBACK FROM ABORIGINAL GROUPS

Plan	Condition	Date Filed	Filing Number
Socio-Economic Effects Monitoring Plan (Appendix A)	13	February 15, 2017	<a href="#">A5I8H7</a>
Pre-Construction Caribou Habitat Assessment (Section 2.1, Appendix B)	36	March 1, 2017	<a href="#">A5J1U2</a>
Preliminary CHRP (Appendix B)	37a	March 1, 2017	<a href="#">A5J1S1</a>
Sowaqua Spotted Owl Mitigation Plan (Section 1.2, Appendices A, B)	38	March 1, 2017	<a href="#">A5J1S7</a>
Rare Ecological Community and Rare Plant Population Management Plan (Section 1.2;	40	March 15, 2017	<a href="#">A5J4Z4</a>

Appendix A)			
Wetland Survey and Mitigation Plan (Section 1.2, 2, Appendices F, G)	41	March 31, 2017	<a href="#">A5J9Z7</a>
Grasslands Survey and Mitigation Plan (Section 2, Appendices A, B, C)	42	March 31, 2017	<a href="#">A5J9J5</a>
Watercourse Crossing Inventory (Appendix J)	43	March 31, 2017	<a href="#">A5J9K9</a>

## 5.0 CONCLUSION

Trans Mountain continues to engage with Aboriginal groups with the goal of strong, positive relationships. Trans Mountain approaches conversations to learn concerns from Aboriginal groups and provide information or suggested mitigations for those interests. Additional consultations regarding NEB and BC EAO Conditions as well as permits will allow further targeted conversations to ensure that Trans Mountain has captured Aboriginal group concerns to date, as well as provide the opportunity to capture and mitigate additional interests and concerns. As the Project nears the construction phase, Trans Mountain is ensuring that it maximizes Project benefits within the areas of business opportunities, employment, and training.

In compliance with this Report, Trans Mountain will file an update to this Report at least one year after commencement of construction.

## 6.0 PROFESSIONAL AUTHENTICATION

This Report for Aboriginal Consultation Report has been developed by Carnes Consulting Ltd., in collaboration with Trans Mountain. This individual is directly responsible for providing professional services and submitting accurate work as directed by Trans Mountain in support of the submission as required by the BC EAO.

CARNES CONSULTING LTD.

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Prepared by: Lindsay Carnes B.A.

## APPENDIX A

### ROLES AND RESPONSIBILITIES

Role	Responsibilities
<b>Leadership Team</b>	
Project VP (Accountable Officer)	<ul style="list-style-type: none"> <li>• Accountable for the execution of the TMEP</li> <li>• Signatory for applicable NEB conditions requiring confirmation by an officer of the company</li> <li>• Ensure Project is undertaken in compliance with all applicable legal requirements, Environment, Health and Safety Policy, and applicable corporate procedures                             <ul style="list-style-type: none"> <li>• Ensure Trans Mountain has documented policies and goals, and continues to be committed to the ongoing use of the Kinder Morgan Canada Inc. (KMC) Integrated Safety and Loss Management System Major Projects Program</li> </ul> </li> <li>• In coordination with legal services, responsible for the NEB application for "Leave to Open" prior to putting the TMEP into service</li> <li>• Demonstrate leadership and direction to the Project</li> <li>• Endorse and sign off on the Project Compliance Management Plan</li> </ul>
Project Directors	<ul style="list-style-type: none"> <li>• Provide leadership and direction to the environmental programs for the Major Projects Group</li> <li>• Assume ultimate authority for environmental performance for the Major Projects Group</li> <li>• Ensure that all NEB CPCN conditions have been met and appropriate environmental authorizations are in place</li> <li>• Ensure there are sufficient, qualified and trained personnel to construct the Project in an environmentally responsible manner compliant all with applicable legal requirements, regulations, permit conditions, approval conditions and all commitments made by Trans Mountain</li> <li>• Ensure suitable environmental programs (inspection and compliance) are in place to support Project execution</li> <li>• Ensure environmental compliance audits are implemented and action items for the Project are followed through</li> <li>• Monitors environmental performance through review of compliance reports, environmental incidents and follow-up actions</li> <li>• Ensure Management of Change (MOC) procedures are in place and followed</li> <li>• Ensure compliance and environmental responsibilities are integrated in all levels of the Project organization</li> <li>• Endorse and sign off on the Project Compliance Management Plan</li> </ul>
Project Manager(s)	<ul style="list-style-type: none"> <li>• Assure Contractors are constructing the Project in an environmentally responsible manner compliant all with applicable legal requirements, regulations, permit conditions, approval conditions and all commitments made by Trans Mountain</li> <li>• Ensure compliance with specifications, and construction contracts and applicable codes</li> <li>• Ensure Contractors understand the EPPs and environmental sensitivities of the Project during contracting process</li> <li>• Ensure that construction plans and modifications to Project activities, schedules and issues are communicated in a timely manner to the appropriate personnel by using the Project MOC process</li> <li>• Ensure environmental performance and compliance of the Contractor is a topic of discussion at regularly scheduled meetings</li> <li>• Resolve conflicts between construction and environmental considerations</li> <li>• Review environmental and compliance reports including incident reports and ensure corrective actions are completed</li> <li>• Responsible for maintaining an open dialog with the Chief Environmental Inspector and Contractor supervisor</li> <li>• Work closely with the Environment Manager, Chief EI and Contractor supervisor to assess levels of compliance achieved, evaluate the effectiveness of processes and ensure areas of continuous improvements are being implemented</li> </ul>
<b>Role</b>	<b>Corporate</b>
KMC Legal Department	<ul style="list-style-type: none"> <li>• The KMC Legal Department will commission environmental compliance audits, which will be coordinated by the Environment, Health and Safety Management System (EHS) Department using the services of a third-party consulting firm.</li> <li>• Senior Director Aboriginal and Legal to endorse and sign off on the Project Compliance Management Plan</li> </ul>
EHS Department	<ul style="list-style-type: none"> <li>• Review environment performance</li> <li>• Participate in monthly safety and environmental stewardship meetings to facilitate timely discussion of joint environmental issues and expectations</li> <li>• The KMC Legal Department will commission environmental compliance audits, which is coordinated by the EHS Department using the services of a third-party consulting firm.</li> </ul>
<b>Role</b>	<b>Regulatory and Compliance Team (RCT)</b>
Regulatory and Compliance Lead	<ul style="list-style-type: none"> <li>• Report to the Project VP on regulatory compliance</li> <li>• Has delegated authority for all processes and procedures enabling compliance performance in support of Project execution</li> <li>• Work closely with senior project personnel in implementing Compliance Programs within the Compliance Management Plan</li> <li>• Provide advice and interpretation of regulatory requirements and ensure compliance with Project specifications, applicable legal requirements, regulations, permits, approval conditions, and commitments</li> <li>• Ensure that KMC policies and the Compliance Management Plan that have been adopted by Trans Mountain are available and adhered to</li> <li>• Provide overall regulatory and compliance coordination for the Project</li> <li>• Work with Senior Directors and the Project Manager to ensure sufficient, qualified and trained personnel are in place to implement the Compliance Program and Compliance Management Plan</li> <li>• Work closely with the Manager, Permitting to ensure that environmental approvals and permits for construction are acquired</li> <li>• Along with other RCT members act as primary point of contact for the Project with regulatory authorities</li> </ul>

Role	Regulatory and Compliance Team (RCT)
Regulatory and Compliance Lead (cont'd)	<ul style="list-style-type: none"> <li>• Oversee the work of the Senior Compliance Advisor, Compliance Advisors, Conditions and Compliance Analysts</li> <li>• Work closely with the Environmental Manager, Senior Compliance Advisor to evaluate processes to ensure that they are working effectively to ensure compliance</li> <li>• Help to resolve conflicts between construction activities and regulatory considerations</li> <li>• Participate in Trans Mountain's compliance audits and reviews</li> <li>• Oversee filing of condition Compliance, Variance Applications, and other NEB regulatory authorizations and approvals</li> <li>• Review the weekly compliance report from the Senior Compliance Advisor</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Senior Compliance Advisor	<ul style="list-style-type: none"> <li>• Report to the Regulatory and Compliance Lead regarding compliance issues</li> <li>• Report to the Environmental Manager regarding environmental compliance issues</li> <li>• Develop, maintain and implement the Compliance Management Plan</li> <li>• Support compliance activities for the Project</li> <li>• Provide advice and interpretation of regulatory requirements and ensure compliance with Project specifications, applicable legal requirements, regulations, permits, approval conditions, and commitments</li> <li>• Liaise with regulatory authorities to address concerns, maintain positive and effective communications and facilitate agreement in the field</li> <li>• Accompany regulatory authority representatives on field reviews and inspections, where warranted</li> <li>• Communicate and address compliance issues raised by regulatory authorities</li> <li>• Work with KMC's Emergency Response Line to ensure regulatory authority notifications are made in cases of reportable incidents such as non-compliances and spills (see Appendix 6 for Emergency Contacts)</li> <li>• Respond to incidents and investigate to determine the causal factors of becoming non-compliant and support investigation teams as needed</li> <li>• Coordinate and facilitate regulatory and compliance inspections and audits</li> <li>• Use the Regulatory Change Tracking Process and MOC procedures to determine if regulatory approval(s) are necessary</li> <li>• Receive RAI non-compliance reports and relay information and response actions to internal parties</li> <li>• Prepare the weekly compliance report for the Regulatory and Compliance Lead, Environmental Manager and the Chief Environmental Inspector</li> <li>• Maintain compliance tracking data base which will include all non-compliance issues and agency inspections</li> <li>• Analyze compliance tracking database to identify trends and apply learnings for continuous improvement</li> <li>• Maintain Compliance dashboard and issue advisories</li> <li>• Work closely with the Environment Manager to assess levels of compliance achieved, evaluate the effectiveness of processes and ensure areas of continuous improvements are being implemented</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Compliance Advisor	<ul style="list-style-type: none"> <li>• Report to the Senior Compliance Advisor regarding compliance issues</li> <li>• Deliver compliance tasks and commitments within the Project execution timeframes</li> <li>• Act as a resource to Project Execution Team, supporting the assessment of Project compliance with applicable legal requirements, regulations, permits, approval conditions, commitments and requirements contained within the Project Application</li> <li>• Work closely with Manager, Permitting to ensure regulatory authorities and construction management team have access to permit binders, commitments and conditions at construction offices</li> <li>• Liaise with regulatory authorities to address concerns, maintain positive and effective communications and facilitate agreement in the field</li> <li>• Communicate compliance issues raised by regulatory authorities to Senior Compliance Advisor</li> <li>• Develop and coordinate TMEP's responses to regulatory agencies' questions on compliance activities</li> <li>• Notify the Lead Activity Inspector and Chief Environmental inspector and Senior Compliance advisor, when non-compliance activities are identified that have potential to result in enforcement action such as Administrative Monetary Penalties</li> <li>• Ensuring that all documentation to support TMEP compliance are retained as per regulatory requirements</li> <li>• Work with KMC's Emergency Response Line to ensure regulatory authority notifications are made in cases of reportable incidents</li> <li>• Document reportable incidents, condition, commitment and permit compliance activities on a daily basis and maintain for inclusion in weekly compliance report</li> <li>• Assist Senior Compliance advisor with the preparation of the weekly compliance report</li> <li>• Maintain Compliance dashboard and issue compliance advisories</li> <li>• Work closely with construction Contractor representatives to discuss conditions, commitments and permit conditions that must be met</li> <li>• Keep track of issues not immediately resolved by entering them into the Issues Tracking List</li> <li>• Provide listed issues to the Contractors to resolve in an agreed timeline before they escalate into a non-compliance</li> <li>• Liaise with other Compliance Advisor(s) to ensure consistency and timely communication of issues</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>

Role	Regulatory and Compliance Team (RCT)
Commitment Compliance Analyst	<ul style="list-style-type: none"> <li>• Work with the Senior Compliance Advisor to develop and maintain a Commitment Tracking Table pursuant to Condition #6</li> <li>• Develop a quality assurance, quality control process to ensure the Commitment Tracking Table is comprehensive and accurate</li> <li>• Liaise with other Compliance Analysts to maintain the commitment tracking table including assisting with QAQC and associated processes</li> <li>• Work with multiple teams within Trans Mountain who are responsible for the technical content of commitments</li> <li>• Prepare reports to assist teams with implementation, monitoring and completion of commitments</li> <li>• Maintain documentation demonstrating commitment completion</li> <li>• Ensure the Commitment Tracking Table is updated, posted to the TMEP website and filed on time with the NEB</li> <li>• Ensure all documentation to support TMEP compliance is retained as per regulatory requirements</li> <li>• Prepare regulatory reports by collecting, analyzing and summarizing information               <ul style="list-style-type: none"> <li>• Help develop tools, forms, templates required as part of the Compliance Management Plan (CMP)</li> </ul> </li> <li>• Prepare a monthly report for the Senior Compliance Advisor on the status of commitment compliance filings</li> <li>• Ensure access to the Commitment Tracking Table at construction offices</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Conditions Compliance Analyst	<ul style="list-style-type: none"> <li>• Work with the Senior Compliance Advisor to develop and implement the process to manage NEB condition tracking and compliance pursuant to Condition #1</li> <li>• Develop a quality assurance, quality control process to ensure TMEP meets all requirements imposed under each specific condition</li> <li>• Implement a condition tracking process to facilitate coordination and execution of Conditions across Project teams</li> <li>• Develop conditions schedule and filing plan, Project sequencing may require a staged filing approach</li> <li>• Ensure compliance filings are complete, comply with conditions of approvals and are filed on time with the NEB</li> <li>• Facilitate management of condition through phased filings, condition relief or, variance applications</li> <li>• Work with multiple teams within Trans Mountain who are responsible for the technical content of condition compliance filings</li> <li>• Ensuring that all documentation to support TMEP compliance are retained as per regulatory requirements</li> <li>• Prepare a weekly report for the Senior Compliance Advisor on the status of condition compliance filings</li> <li>• Support the Senior Compliance Advisor in the internal audit program to ensure TMEP is executed in compliance with the terms of conditions</li> <li>• Where required, liaise with regulatory agencies on condition compliance filings</li> <li>• Maintain NEB condition tracking system on TM web page linking condition compliance to NEB filings</li> <li>• Ensure access to NEB conditions at construction offices</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Role	Environment Team
Environmental Manager	<ul style="list-style-type: none"> <li>• Report to the Project Director and Project Manager on environmental compliance</li> <li>• Work closely with the Senior Compliance Advisor in implementing the Compliance Management Plan to ensure applicable legal requirements, regulations, permits, approval conditions, and commitments are met</li> <li>• Work closely with the Manager, Permitting to ensure that environmental approvals and permits for construction are acquired</li> <li>• Provide overall environmental coordination and communication for the Project</li> <li>• Work with Senior Directors and Project Manager to ensure sufficient, qualified and trained personnel are in place to implement the Environmental Compliance Program and Compliance Management Plan</li> <li>• Ensure that KMC policies and the Environmental Manual that have been adopted by Trans Mountain are available and adhered to</li> <li>• Review Environmental Inspection reports to evaluate Project resource needs and compliance issues</li> <li>• Develop and oversee the Environmental Compliance and Education Program for the Project</li> <li>• Conduct ongoing consultation with regulatory authorities</li> <li>• Oversee the work of the Chief Environmental Inspector and the Environmental Resource Manager</li> <li>• Work closely with the Senior Compliance Advisor to assess levels of compliance achieved, evaluate the effectiveness of processes and ensure areas of continuous improvements are being implemented</li> <li>• Resolve conflicts between construction activities and environmental considerations</li> <li>• Assist with training of Environmental Inspectors on the Environmental Program</li> <li>• Review weekly compliance report from the Senior Compliance Advisor</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Chief Environmental Inspector	<ul style="list-style-type: none"> <li>• Work with the Construction Manager to resolve conflicts that may occur between Contractors, Technical Inspectors and Environmental Inspectors regarding environmental issues</li> <li>• Communicate clearly and on a timely basis with the Environmental Manager and the Senior Compliance Advisor regarding environmental issues including non-compliance issues</li> <li>• Coordinate with the Environmental Manager to ensure that appropriate environmental resources are on-site</li> <li>• Provide a daily summary report to the Project Manager, Environmental Manager, and Senior Compliance Advisor on contractor compliance with Project mitigation requirements, permit conditions and environmental specifications</li> <li>• Ensure consistency in environmental inspection and reporting across all spreads</li> <li>• Review all EI reports and enter issues into the issues tracking list</li> <li>• Work with Environment Manager to review and comment on proposed changes through the MOC process</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>

Role	Environment Team
Environmental Inspectors	<ul style="list-style-type: none"> <li>• Environmental Inspector roles and responsibilities are further defined in the EPPs</li> <li>• Document environmental compliance and environmental activities on a daily basis and maintain a photographic record</li> <li>• Responsible for environmental issues resolution, field decision-making and reporting</li> <li>• Coordination with the Construction Manager, Chief Inspectors, construction Contractor representatives and Environmental coordinators</li> <li>• Ensure that the Project is constructed in compliance with environmental conditions and requirements contained within the Project Application, environmental specifications, standards and permits through inspection and documentation</li> <li>• Accompany regulatory authority representatives on field reviews and inspections</li> <li>• Have the authority, in consultation with the Chief Inspectors, to halt construction during specific non-compliance activities that have potential to have adverse effects on the environment in accordance with the EPPs</li> <li>• Inform the lead Inspector (for each contract) daily of the environmental issues in their area</li> <li>• Work closely with construction Contractor representatives to discuss environmental sensitivities and commitments that must be met</li> <li>• Assess work areas ahead of construction noting concerns, site-specific issues and site conditions, and provide advance notice to the Construction Manager, Lead Activity Inspectors, and Contractor Environmental Coordinators to allow proactive planning of the work to avoid adverse effects</li> <li>• Enforce compliance with environmental legislation, commitments, approvals and permits</li> <li>• Keep track of issues not immediately resolved by entering them into the Issues Tracking List</li> <li>• Provide listed issues to the Contractors to resolve in an agreed timeline before they escalate into a non-compliance</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Environmental Resource Manager	<ul style="list-style-type: none"> <li>• Coordinate the work of the Resource Specialists to handle specific environmental sensitivities</li> <li>• Plan environmental specialist participation in the construction program</li> <li>• Ensure that schedule windows for wildlife are met</li> <li>• Ensure that appropriate equipment and materials are on-site to assess compliance with commitments</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Resource Specialists (Archaeology, Aquatic, Reclamation etc.)	<ul style="list-style-type: none"> <li>• Confirm if mitigation objectives have been met and provide feedback to the Environmental Inspection Team and Construction Manager</li> <li>• Provide input to work plans of specific activities such as deterring wildlife from the work area and soil handling</li> <li>• Provide input in the event of an unanticipated discovery of valued resources such as a cultural resource site that was not previously mapped</li> <li>• Assist the Environmental Inspectors as needed</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Aboriginal Monitors	<ul style="list-style-type: none"> <li>• Work with the Environmental Inspectors to provide traditional knowledge to the construction program to ensure protection of the environment and heritage resources</li> <li>• Discuss traditional and western science elements with the Environmental Inspectors to ensure protection and monitoring</li> <li>• Monitor mitigation success in protecting the environment and heritage resources</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Role	Aboriginal Engagement Team
Lead, Aboriginal Engagement Team	<ul style="list-style-type: none"> <li>• Oversee all elements of Aboriginal engagement and consultation</li> <li>• Work with leads from engineering, environment, and construction to ensure that Aboriginal groups concerns are being addressed</li> <li>• Work with regional field officers to support and manage issues</li> </ul>
Field Advisor, Aboriginal Engagement Team	<ul style="list-style-type: none"> <li>• Consult with specific Aboriginal Groups on NEB and BC EAO Condition plans and reports</li> <li>• Provide comments from Aboriginal engagement to Environment Team to find suitable mitigations if appropriate</li> <li>• Capture and track comments and issues from Aboriginal Groups</li> <li>• Communicate to Aboriginal groups how feedback has been incorporated into corresponding plans</li> </ul>
Role	Permitting Team
Manager, Permitting	<ul style="list-style-type: none"> <li>• Oversee all elements of permit acquisition and compliance</li> <li>• Confirm understanding of provincial and municipal permit requirements with regulatory authorities and handle any permit-related issues</li> <li>• Determine if regulatory approval is necessary for substantial changes to mitigation measures</li> <li>• Work with construction and engineering teams to determine and gather the information necessary to resolve environmental issues and to acquire new permits or permit revisions</li> <li>• Ensure that permit binders are kept up-to-date in the construction offices</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Permit Specialist	<ul style="list-style-type: none"> <li>• Manages permit development projects with internal teams and multiple disciplines and sub-contractors</li> <li>• Liaises with regulators to operationalize planning and receive and implement feedback on permit and plan drafts</li> <li>• Coordinates internal Information Request process on all permits from Provincial Regulators</li> <li>• Coordinate the Permit Amendment planning process with regulators, Contractors and consultants</li> <li>• Manage a Crown permit tracking system</li> <li>• Work closely with Manager, Permitting to ensure permit binders are kept up to date at construction offices</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>



Role	Construction Team
Construction Manager/Senior Construction Lead	<ul style="list-style-type: none"> <li>• Ensure compliance with company specifications, permit conditions, construction contracts and applicable codes</li> <li>• Notify the Project Manager and the Environmental Manager of changes to the Project work schedule as defined in the application or permit using the MOC process</li> <li>• Actively participate with the Environmental Manager and the Senior Compliance Advisor to evaluate and improve environmental compliance</li> <li>• Coordinate with Chief Inspectors on work schedules, environmental sensitivities, environmental resource needs and permit conditions</li> <li>• Accompany regulatory authority representatives on field reviews and inspections</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> <li>• Conduct Project construction meetings to ensure that environmental compliance requirements are coordinated in daily activities</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Chief Activity Inspector/QA Lead	<ul style="list-style-type: none"> <li>• Ensure that the construction site is marked and flagged, as required, prior to construction</li> <li>• Liaise with regulatory authorities to address concerns, maintain positive and effective communications with regulatory authority representatives and facilitate agreement in the field</li> <li>• Communicate clearly and on a timely basis with the Lead Environmental Inspector regarding environmental issues and non-compliance issues</li> <li>• Have the authority, in consultation with the Environmental Inspector, to halt construction during specific non-compliance activities that have potential to have adverse effects on the environment in accordance with the EPPs</li> <li>• Communicate with the Environmental Resource Manager on Resource Specialists, as required, for specific activities and environmentally sensitive areas</li> <li>• Coordinate with the Permitting and Regulatory and Compliance team, as needed, on interpretation of permits and compliance issues throughout the Project</li> <li>• Inspect and document Contractor compliance with Project mitigation requirements, permit conditions and environmental specifications on a daily basis</li> <li>• Oversee environmental training activities for the construction spread. At the daily construction meeting, discuss issues or trends noted in the weekly Environmental Compliance Report prepared by the Senior Compliance Advisor</li> <li>• Discuss issues or trends noted in the weekly Environmental Compliance Report at the daily construction meetings</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Activity Inspectors	<ul style="list-style-type: none"> <li>• Understand the environmental commitments associated with construction activities they are tasked with supervising</li> <li>• Provide support in inspecting and ensuring compliance with the environmental requirements of their construction activity</li> <li>• Verify that environmental requirements and requests from the Environmental Inspectors are carried out by their assigned crews</li> <li>• Accompany regulatory authority representatives on field reviews and inspections</li> <li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li> </ul>
Contractor (Supervisors, Foreman and Environmental Coordinators)	<ul style="list-style-type: none"> <li>• Comply with all applicable legal requirements, regulations, permits, approval conditions, and commitments made by Trans Mountain</li> <li>• Demonstrate compliance and continual improvement through monitoring, reporting and training activities throughout the Project lifecycle</li> <li>• Monitor and report on compliance performance to RCT</li> <li>• Verify that all construction personnel attend the appropriate level of Environmental and Compliance Education training specified for the level of role and responsibility prior to work on the construction site</li> <li>• Assist with delivery of the Level I Environmental and Compliance Education Training</li> <li>• Understand the requirements of the EPPs and execute construction accordingly</li> <li>• Hold Construction Kick off meetings</li> <li>• Review compliance requirements including relevant permits and approval conditions and commitments prior to work occurring at the subject locations, update as required</li> <li>• Review environmental documentation to ensure complete understanding of environmental commitments related to the work prior to initiating work. Work with the EIs to ensure full understanding. Hold tailgate meetings to discuss environmental issues</li> <li>• Responsible for conducting the Project in an environmentally responsible manner and incorporating all Project environmental requirements into daily construction activities</li> <li>• Report observations of non-compliance to supervisory level personnel and the Senior Compliance Advisor as per the CMP</li> <li>• Report Incidents as per the Construction Health and Safety Management Plan</li> <li>• Record all spills immediately and provide copies to Kinder Morgan in accordance with the spill reporting requirements for the appropriate jurisdiction</li> <li>• Report and discuss any deviation of work plans from those committed to in approved environmental documentation (EPPs, Environmental Assessment, etc.) with the Environmental Lead, EIs and/or Resident Construction Manager</li> <li>• Respond to any issued environmental incident investigation forms within 24 hours</li> <li>• Ensure project personnel have adequate experience in conducting their work so as to avoid or minimize environmental impacts</li> <li>• Ensure adequate equipment is onsite and available to respond to environmental incidents</li> <li>• Ensure appropriate equipment is onsite to minimize environmental impacts</li> <li>• Ensure project schedules are developed and maintained to allow timely regulatory/landowner notifications and to allow site-specific environmental plans to be developed at sensitive locations such as watercourse crossings</li> <li>• Assist KMC Construction and EIs with development of construction plans to deal with sensitive activities or areas</li> </ul>

Role	Construction Team
Contractor (Supervisors, Foreman and Environmental Coordinators) (cont'd)	<ul style="list-style-type: none"><li>• Co-operate with environmental compliance audits by Kinder Morgan's corporate EHS group</li><li>• Implement EPP mitigation measures during construction</li><li>• Respond to Environmental and Lead Activity Inspector requests during construction to ensure compliance with Project environmental requirements</li><li>• Read and understand the Compliance Management Plan and provide written acknowledgement</li></ul>

**APPENDIX B**  
**ISSUES SUMMARY AND RESOLUTION TABLES**

## **APPENDIX C**

### **NATIONAL ENERGY BOARD CONDITION 96 REPORT ON ENGAGEMENT WITH ABORIGINAL GROUPS - CONSTRUCTION**