

Appendix A: Condition 14 Compliance Filing



TRANS MOUNTAIN EXPANSION PROJECT

Technical Working Group (TWG) Terms of Reference

NEB Condition 14

February 16, 2017

TABLE OF CONCORDANCE

Condition 14 – Technical Working Group (TWG) Terms of Reference is applicable to legal instrument: OC-064 (CPCN). The Table below describes how the TWG Terms of Reference addresses the requirements of Condition 14.

NEB Condition 14	OC-064 (CPCN)
Trans Mountain must file with the NEB, at least 6 months prior to commencing construction, Terms of Reference for TWGs established in order to address specific technical and construction issues with affected municipalities. The terms of reference must be developed in consultation with participating municipalities, and facility owners and operators that will be affected by the Project. The Terms of Reference must, at a minimum:	See below
a) Identify how TWG membership will be determined;	Section 2.1
b) Identify the TWG structure;	Section 2.2
c) Identify an officer of the company who will be accountable for implementing the Terms of Reference; and	Section 2.2
d) Describe the scope and mandate to be addressed or implemented by the TWG, including <ul style="list-style-type: none"> i. The TWG's goals; ii. The issues and activities that will be within the TWG's mandate; iii. The protocols and mechanisms for implementing TWG recommendations or decisions; and iv. The protocols for reporting and communicating with TWG members, and other potentially-affected or interested parties; and 	Section 3.0; Section 3.1; Section 3.2; Section 3.3; Section 3.4
e) Provide a summary of any outstanding concerns raised by participating municipalities, and facility owners and operators regarding the Terms of Reference.	Section 4.0

TABLE OF CONTENTS

	<u>Page</u>
1.0 INTRODUCTION.....	5
1.1 About This Document.....	5
1.2 Historical Context.....	5
1.3 Approach.....	6
2.0 GOVERNANCE.....	8
2.1 Membership.....	8
2.2 Structure and Accountability.....	8
3.0 SCOPE AND MANDATE.....	9
3.1 Goals.....	9
3.2 Issues and Activities.....	10
3.2.1 Issues and topics for discussion and resolution through TWGs with BC municipalities.....	10
3.2.2 Issues and topics for discussion and resolution through TWGs with municipalities in Alberta.....	13
3.3 Recommendations and Decisions.....	14
3.4 Reporting and Communicating.....	14
4.0 FEEDBACK REGARDING THE TERMS OF REFERENCE.....	16
5.0 APPENDICES.....	18
5.1 Appendix A: Sample letter of invitation.....	18
5.2 Appendix B: TWG Contacts by Community.....	21
5.3 Appendix C: TWG Meeting Summary Template.....	24
5.4 Appendix D: Amendments to the Terms of Reference.....	25

LIST OF TABLES

TABLE 2	MUNICIPALITIES INVITED TO FORM TECHNICAL WORKING GROUPS..6
TABLE 3	TMEP PROCESS FOR PREPARING AND DISTRIBUTING TWG MEETING MATERIALS.....15
TABLE 4	FEEDBACK REGARDING THE TERMS OF REFERENCE.....16

1.0 INTRODUCTION

1.1 About This Document

The purpose of this document is to present the Technical Working Group (TWG) Terms of Reference, and is also intended to satisfy the requirements of National Energy Board (the “NEB” or “Board”) Condition 14.

Trans Mountain has been operating for more than 60 years and has long standing relationships with municipalities and regional governments along its existing TMPL system. Trans Mountain aims to build on these relationships along the Project corridor in the development, construction and eventual operation of the Trans Mountain Expansion Project (“TMEP” or “Project”). TWGs have, and will continue to serve, as the preferred vehicle for gathering technical information from affected municipalities and to address concerns raised by municipalities so the Project may be constructed in a manner acceptable to affected communities. Other future filings which relate to this document are:

- NEB Condition 49 – Technical working group (TWG) reports

1.2 Historical Context

Trans Mountain is committed to open and transparent dialogue with stakeholders who are potentially impacted by the Project, throughout the life of the Project.

Prior to launching a broad public consultation program, commonly referred to as stakeholder engagement, (the “Program”), Trans Mountain consulted with municipalities and community leaders to seek input into the Program. These early conversations provided Trans Mountain with direction on areas of greatest interest to local communities, appropriate means of engagement for different communities, and the identification of local stakeholders who were invited to participate in Project engagement activities.

The Program was initiated as soon as the decision to proceed with the Project was announced in May 2012. Trans Mountain’s Program has touched all aspects of the Project corridor between Strathcona County, Alberta (AB) and Burnaby, British Columbia (BC), and has sought feedback on a wide range of topics, including:

- determining the scope of the Environmental and Socio-Economic Assessment (ESA);
- identifying potential mitigation measures to reduce environmental and socio-economic effects;
- identifying potential benefits associated with the Project; and
- routing alternatives where it is not practical to follow the existing Trans Mountain pipeline (TMPL) right-of-way.

In August 2014, Trans Mountain initiated TWGs as part of its engagement program. These groups provided an opportunity for Project technical teams to work directly with municipalities with relevant subject matter expertise and representatives from other infrastructure and utility companies to gather information and input needed to refine engineering, routing and construction plans associated with the Project. The TWGs also served as a forum to raise concerns and address issues as they arise.

TWGs were initiated with pipeline communities in the Lower Mainland/Fraser Valley region in late 2014, and in the BC Interior and Alberta regions in late 2015.

Reports on engagement activities completed between May 2012 and June 30, 2015 were filed with the NEB and are available in the Application (Volume 3A: Stakeholder and Volume 3B: Aboriginal), as well as in Consultation Update No. 1 and Errata, Technical Update No. 1 / Consultation Update No. 2, Consultation Update No. 3 and Consultation Update No. 4.

In particular, comments collected through TWG meetings can be found in Section 1.13 of Consultation Update No. 3 and Section 1.23 of Consultation Update No. 4. These reports include the results of consultation conducted to date, identification of issues and concerns as well as Trans Mountain’s response. In many municipalities, TWGs were successful in addressing issues and concerns and were no longer needed.

1.3 Approach

Following the issuance of the Board’s recommendation to federal cabinet with respect to TMEP, Trans Mountain revised the Terms of Reference for TWGs developed in 2014. Starting in October 2016, Trans Mountain distributed the updated draft Terms of Reference to all municipalities along the Project corridor, inviting them to re-establish TWGs and to review and comment on the updated draft Terms of Reference. A list of municipalities along the Project corridor to whom TWGs were offered is included in Table 2. A sample of the letter of invitation accompanying the draft Terms of Reference is included in Appendix B. Trans Mountain followed up by phone and email and initiated scheduling meetings with municipalities to re-form the TWGs and review the draft Terms of Reference. TWG meetings restarted in December 2016 and are ongoing. Attendees have included Trans Mountain’s senior Project leadership, senior municipal staff and, in some cases, elected officials. Further information on TWG contacts can be found in Section 2.2 and in Appendix B.

The establishment of TWGs requires participation by both parties, and while Trans Mountain is vigorously pursuing establishing TWGs with each municipality, some municipalities have expressed more interest than others in the formation of TWGs.

Some municipalities declined to schedule a TWG meeting, and postponed participation to a later date for a variety of reasons, including:

- no issues at this time;
- do not have the resources to participate; and
- staffing changes are in progress or are upcoming.

Table 2 notes the status of the initial TWG meetings as of February 10, 2017. Trans Mountain will attempt to convene TWG meetings with all outstanding municipalities in early 2017. Trans Mountain will continue to offer TWG meetings to those listed in Table 2 and will make every effort to convene a TWG with these stakeholders.

Should a municipality decline to form a TWG, Trans Mountain will track the response and report to the NEB through its future submissions required by Condition 49: Technical working group (TWG) reports. Trans Mountain will continue to pursue TWGs with all affected municipalities along the Project corridor.

TABLE 2

MUNICIPALITIES INVITED TO FORM TECHNICAL WORKING GROUPS

Alberta Municipal Governments	Status	BC Municipal Governments	Status
City of Edmonton	Invited and accepted	City of Abbotsford	Invited and accepted
City of Spruce Grove	Invited and not yet accepted, pending for Q1 2017	City of Burnaby	Exploratory conversation held December 15, 2016; future conversations on hold pending outcome of legal challenge on federal approval

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Trans Mountain Expansion Project

Parkland County	Invited and not yet accepted, pending for Q1 2017
Strathcona County	Invited and not yet accepted, pending for Q1 2017
Town of Edson	Invited and not yet accepted, pending for Q1 2017
Town of Hinton	Invited and not yet accepted, pending for Q1 2017
Town of Stony Plain	Invited and not yet accepted, pending for Q1 2017
Village of Wabamun	Invited and not yet accepted, pending for Q1 2017
Yellowhead County	Invited and not yet accepted, pending for Q1 2017

City of Chilliwack	Invited and accepted
City of Coquitlam	Invited and accepted
City of Kamloops	Invited and accepted
City of Merritt	Invited and accepted
City of Surrey	Invited and accepted
District of Clearwater	Invited and accepted
District of Hope	Invited and accepted
Fraser Valley Regional District	Invited and accepted
Metro Vancouver	Invited and accepted
Regional District of Fraser Fort George	Invited and accepted
Thompson Nicola Regional District, including: Community of Avola Community of Blue River Community of Little Fort Community of Vavenby	Invited and accepted
Township of Langley	Invited and accepted
Village of Valemout	Invited and accepted

In addition, Trans Mountain has identified the following facility owners and operators who have been engaged through TWGs formed earlier in Project development:

- BC Hydro and Power Authority
- FortisBC Inc.
- BC Ministry of Transportation and Infrastructure
- South Coast British Columbia Transportation Authority (TransLink)
- Telus Communications Company
- Parks Canada

Trans Mountain is re-engaging with these stakeholders. This engagement is further described in Section 2.1.

2.0 GOVERNANCE

2.1 Membership

TWGs consist of municipalities (or appropriate local government body) impacted by TMEP. After four (4) years of engagement with municipalities along the Project corridor, Trans Mountain is utilizing feedback obtained through TWGs as it refines and finalizes design and construction plans for the pipeline and associated facilities. Municipal governments have a mandate to represent the interests of their constituents and serve as proxy for residents and businesses in communities for which the Project corridor traverses or impacts. Municipalities for which Trans Mountain has identified for possible TWGs are shown in Table 2. The establishment of TWGs with impacted municipalities aligns with Trans Mountain's approach of prioritizing communications with those who are most affected by the Project. Trans Mountain will convene a TWG with any of the municipalities identified in Table 2 based on the interest expressed by the municipality.

As noted in Section 1.3, Trans Mountain will continue to also invite facility owners and operators described in Section 1.3 to join specific TWG meetings with municipalities as needed, and agreed to by all parties involved. However, due to the specific and commercial interests of these stakeholders, Trans Mountain aims to resolve outstanding issues and concerns with facility owners and operators through the negotiation of crossing agreements and or other relevant agreements as a TWG process specific to facility owners or operators. This is also noted below in Section 2.2 Structure and Accountability.

2.2 Structure and Accountability

TMEP's accountable officer for the TWGs is its Vice President, TMEP. As a member of the Kinder Morgan Canada Inc. executive team, the Vice President, TMEP is accountable for the execution of construction of TMEP, and accountable for implementing the Terms of Reference. The Vice President, TMEP offered to attend the initial TWG meeting with each stakeholder, and subsequent meetings as appropriate. The Director, Engineering, being responsible for the engineering for the Project, has been designated by Trans Mountain's Vice President, TMEP to attend and lead TWG meetings on behalf of the Vice President, TMEP, where the Vice President is not able to attend.

Attendees for subsequent meetings will be determined by the municipalities and Trans Mountain in advance based on an agreed upon agenda. Trans Mountain proposes a single point of contact for each party who is responsible for coordinating the meetings and identifying required attendees. Attendance at TWG meetings by either party will be determined on an issue by issue basis, provided attendee(s) are able to make decisions on behalf of their party. The goal is to keep the meetings focused and results-orientated. Attendees may include:

- decision-making representatives from stakeholders' key departments involved in discussions with respect to TMEP;

- Trans Mountain representatives or contractors with subject matter expertise in Engineering, Lands, Permitting, Construction, Traffic Management, Environment, Stakeholder Engagement and Communication as needed; and
- utility companies, or other facility owners or operators who have an interest in the intended topic of discussion, as agreed to by both parties.

A list of TWG contacts for Trans Mountain and each municipal government is included in Appendix B.

Meetings will be scheduled regularly as required, at a frequency agreed to between the municipal government, the facility owner or operator (as required) and Trans Mountain. Dates, time and duration of specific meetings are to be selected based on mutual convenience. Subgroups within a TWG may be formed to address specific technical matters with subject matter experts as required.

The location of the TWG meetings will be determined in advance of the meeting, based on mutual convenience. Trans Mountain offers to visit municipal offices or host the meeting at a mutually agreed to location. Meetings are intended to be in person to ensure ease of discussion and decision making, however conference calls may be used where convenient and as needed.

Meetings will continue through construction until start of operations unless both parties agree all issues are resolved and the TWG is no longer required. Meetings during construction may continue in this or a different format, to be determined in discussions with TWG members.

3.0 SCOPE AND MANDATE

TWGs are consistent with Trans Mountain's approach to open and transparent engagement and communications with its stakeholders. The intent of the TWGs is to act as a vehicle for discussing topics of mutual interest as they relate to TMEP, and in particular, the tracking and resolution of specific technical and construction issues. As Kinder Morgan Canada has longstanding relationships with municipalities, any issues or concerns related to the existing Trans Mountain system or future operations once TMEP is completed, shall be referred to the appropriate Kinder Morgan Canada Inc. representative for action and/or resolution. It is intended for the Terms of Reference and TWGs to improve communication, creating opportunities to share information, and resolve concerns within a set timeframe. Trans Mountain aims to establish a collaborate approach in addressing outstanding concerns.

3.1 Goals

Trans Mountain proposes the following goals to guide the TWGs:

- TWGs are a forum to exchange information related to the Project; are intended to be constructive discussions, and solutions-oriented in nature;
- TWGs aim to bring closure to issues arising through the pre-construction and/or execution phase of the Project;
- It is assumed information discussed at TWG meetings can be shared in a public forum unless stated otherwise by the parties. Discussions will be documented and summarized to the NEB (as per Condition 49).
- Trans Mountain recognizes stakeholder participation in any TWG meeting does not imply endorsement for the TMEP, nor does it imply the stakeholder indirectly approving any permit applications or other submissions from TMEP.
- Trans Mountain endeavors to incorporate input received during TWG meetings into its plans for the TMEP where practical, and to provide rationale if input is not incorporated.

3.2 Issues and Activities

Municipalities have raised a variety of Project topics and issues through the regulatory process and through their ongoing engagement with Trans Mountain. Many municipalities continue to work directly with Trans Mountain to resolve issues.

The issues and topics discussed in the TWG meetings may include, however are not limited to, pipeline alignment, construction methodology and timing, communication, socio-economic effects monitoring, municipal and community water sources, stakeholder land use, existing and future infrastructure, by-law compliance, operations, traffic management, construction safety, regional parks considerations, watercourse crossings, permitting and other interests identified by either party.

Sections 3.2.1 and 3.2.2 summarize issues raised to date by municipalities located in Alberta and BC, respectively, which may be tabled for discussion and resolution through TWGs. This is intended as an accompaniment to the information already on the regulatory record. As part of TWG meetings, Trans Mountain will review these issues in discussion with each municipality.

TWG activities may include, but are not limited to, meetings, workshops, site or field visits and technical briefings. These may be led by either party as determined by the participants.

3.2.1 *Issues and topics for discussion and resolution through TWGs with BC municipalities*

This initial list of potential issues and topics for discussion was gathered from a review of municipal meeting documentation and regulatory submissions. Some issues and topics may have been resolved; some may be addressed through NEB conditions or commitments, or may remain outstanding. As a TWG agenda item, Trans Mountain is reviewing this list with each municipality to confirm the outstanding issues and identify issues and topics for future TWG meetings. Additional issues and topics may be added to each municipality's list during the TWG engagement process.

Below is a list of issues and topics with respect to each municipality in BC which has been invited to form a TWG with Trans Mountain.

3.2.1.1 *City of Abbotsford*

The City of Abbotsford has raised concerns related to:

- Communication plans during construction to ensure the City of Abbotsford does not shoulder the burden of fielding questions and complaints from the public.

3.2.1.2 *City of Burnaby*

The City of Burnaby has raised concerns related to:

- Potential impacts to community infrastructure;
- Adverse economic impact to businesses affected by construction;
- Potential impacts and risks of additional tanks at the Burnaby Terminal;
- Trans Mountain following local by-laws;
- Construction impacts to recreational areas including land base areas and Burrard Inlet;
- Noise impacts to marine wildlife due to dredging and construction; and,
- Impacts to wildlife such as the Killer Whale, Great Blue Heron, and migratory birds.

3.2.1.3 *City of Chilliwack*

The City of Chilliwack has raised concerns related to:

- Locating a Community Liaison at City Hall;
- Timing of construction activities near the Vedder River;
- Ensuring commitments registered in TMEP's Commitments Tracking Table are met;
- Protecting the Sardis-Vedder aquifer; and

- Construction methodology.

3.2.1.4 *City of Coquitlam*

The City of Coquitlam has raised concerns related to:

- Impacts of construction on wildlife and wildlife habitat, including species at risk, and on recreational use in Colony Farm Regional Park;
- Construction impacts to pacific salmon and cutthroat trout in the various watercourses the proposed TMEP route will affect;
- Construction impacts to riparian areas;
- Economic impacts to businesses affected by construction;
- Road and utility infrastructure costs the City would incur as a result of the proposed right-of-way;
- Construction impacts of municipal services such as fire/rescue;
- Assurance that TMEP will adhere to City by-laws and permits requirements; and
- Construction impacts on landowners with property that is built on an old landfill and experiences fast and differential settlement.

3.2.1.5 *City of Kamloops*

The City of Kamloops has raised concerns related to:

- Impacts to transportation, infrastructure, parks and green spaces, health care resources, worker accommodation, property taxes, work force (jobs), and emergency services;
- Mechanisms for resolving issues or disputes; and
- Routing through the Lac du Bois Protected Area in order to avoid disruption to the Westside neighbourhood and infrastructure.

3.2.1.6 *City of Merritt*

The City of Merritt has raised concerns related to:

- Potential construction or spill impacts to the Nicola River;
- Impacts of hosting the construction workforce; and
- Potential impacts to the expansion of the Merritt Airport runway, which would extend to the Trans Mountain pipeline and TMEP right-of-way.

3.2.1.7 *City of Surrey*

The City of Surrey has raised concerns related to:

- Its request that Trans Mountain twin the new pipeline and abandon the existing line; concern regarding two pipelines impacting two different corridors;
- Pipeline routing on the southern edge of Surrey Bend Regional Park (SBP) and its preference for an alternative route in South Fraser Perimeter Road Highway (SFPR) or CN Intermodal yard;
- Costs to the City of Surrey to work around pipe located in roadways; and
- Municipalities, and others having jurisdiction over highways, will incur costs as a consequence of the pipeline impacting their utilities and as a consequence of the pipeline occupying or crossing highways.

3.2.1.8 *District of Clearwater*

The District of Clearwater has raised concerns related to:

- Potential construction impacts on the summer tourism season;
- Impacts of hosting the construction workforce; and
- Possible conflicts with crossing District infrastructure.

3.2.1.9 *District of Hope*

The District of Hope has raised concerns related to:

- Routing; and
- Interests and concerns from other stakeholders in the District of Hope.

3.2.1.10 *Fraser Valley Regional District*

The Fraser Valley Regional District has raised concerns related to:

- Ensuring one point of contact during construction;
- Impacts to air quality; and
- Potential adverse socio-economic impacts and associated indicators.

3.2.1.11 *Metro Vancouver*

Metro Vancouver has concerns raised related to:

- Induced impacts (costs) including induced GHG emissions and impacts from associated economic activities;
- Adequate consideration of seismic hazards;
- Impacts to sensitive ecosystems, designated conservation areas, parks, fish-bearing waterways and habitat that support Species at Risk, public recreation, tourism and fisheries;
- Impacts to Coquitlam Landfill during construction;
- Impacts to infrastructure and services on existing water infrastructure during construction and operations; and
- Impact of the current construction schedule on concurrent solid waste construction projects in Metro Vancouver.

3.2.1.12 *Regional District of Fraser Fort George*

The Regional District of Fraser Fort George has raised concerns related to:

- Impact of temporary workers, including impact on low income housing, during construction;
- Solid waste management if a camp is to be used to house workers during construction as their transfer station is at capacity; and
- Impacts of construction on community water quality and lack of sufficient monitoring criteria to enable Regional District of Fraser-Fort George and Valemount to assess these impacts.

3.2.1.13 *Thompson Nicola Regional District (TNRD), including the communities of Avola, Blue River, Little Fort and Vavenby*

Through the TNRD, the following concerns have been raised:

- Residents of Blue River requested that Trans Mountain avoid winter construction through the Mike Wiegele helicopter skiing resort as there is high activity in the region during the winter season and the community has limited capacity to support the Project workforce; and
- Stakeholders in Vavenby expressed interest in workforce hosting opportunities and raised concern about the technique proposed for the crossing of the Raft River.

At this time, Trans Mountain is not aware of any issues in the communities of Avola and Little Fort that may require resolution via the TWG with TNRD.

3.2.1.14 *Township of Langley*

The Township of Langley has raised concerns related to:

- Insufficient baseline data on the groundwater, well water and aquifer systems; and
- Monitoring techniques that will ensure impacts from Trans Mountain's activities to Langley's water systems are measured and accounted for.

3.2.1.15 *Village of Valemount*

The Village of Valemount has raised concerns related to:

- Impacts of temporary workers, including impacts on low income housing, during construction;
- Solid waste management if a camp is to be used to house workers during construction as their transfer station is at capacity; and
- Impacts of construction on water quality in community wells and insufficient monitoring criteria to enable the Regional District of Fraser-Fort George and Valemount to assess these impacts.

3.2.2 ***Issues and topics for discussion and resolution through TWGs with municipalities in Alberta***

As with the list of potential issues and topics for BC municipalities, this initial list for discussion with TWGs in Alberta was gathered from a review of municipal meeting documentation and regulatory submissions. Some issues and topics may have been resolved; some may be addressed through NEB conditions or commitments, or may remain outstanding. As a TWG agenda item, Trans Mountain is reviewing this list with each municipality to confirm the outstanding issues and identify issues and topics for future TWG meetings. Additional issues and topics may be added to each municipality's list during the TWG engagement process.

Below is a list of issues and topics with respect to each municipality in Alberta which has been invited to form a TWG with Trans Mountain:

3.2.2.1 *City of Edmonton*

The City of Edmonton has raised concerns related to:

- Pipeline alignment and potential conflicts with the ATCO pipeline expansion, and the City of Edmonton's Whitemud Drive expansion;
- Road crossings;
- Cost recovery for impacts to the City of Edmonton's existing and future infrastructure that intersects with the pipeline along Whitemud Drive and other road rights-of-way;
- Cost impact to the City of Edmonton for responding to Trans Mountain's infrastructure or emergency-related service needs; and
- Impact to the City of Edmonton related to Trans Mountain's inspection costs.

3.2.2.2 *City of Spruce Grove*

The City of Spruce Grove has raised concerns related to:

- Road crossing designs and crossing applications;
- Pipeline routing and alignment through Spruce Grove; and
- Upcoming twinning of a water line in 2017 located north of the rail crossing.

3.2.2.3 *Parkland County*

Parkland County has raised concerns related to:

- Road crossings;
- Pipeline routing and alignment through Parkland;
- Design of the Pembina River crossing Horizontal Directional Drill (HDD);
- Parkland County's new process for wetland identification;
- Potential conflicts with Alberta Transportation's future plans to extend Highway 628 west of Edmonton and realign further to the north, with an interchange at the Highway 60 crossing;
- Elevation of the existing TMPL; and

- Undeveloped road allowances where future development is likely to occur and road allowances where development will not occur.

3.2.2.4 *Strathcona County*

Strathcona County has raised concerns related to:

- Road crossings.

3.2.2.5 *Town of Edson*

The Town of Edson has raised concerns related to:

- Project scope and construction timing;
- Pre-construction activities such as stock pile site preparation, pipe hauling, vegetation management;
- Preservation of a walking path and trees along the existing TMPL for about 600 m, located west of Edson Drive;
- Crossing agreements and road use permits; and
- Worker accommodation plans, including whether a camp will be located in Edson, and other accommodation.

3.2.2.6 *Town of Hinton*

At this time, Trans Mountain is not aware of any issues for resolution via the TWG with the Town of Hinton.

3.2.2.7 *Town of Stony Plain*

The Town of Stony Plain has raised concerns related to:

- Crossing agreements and road use permits.

3.2.2.8 *Village of Wabamun*

The Village of Wabamun has raised concerns related to:

- Crossing agreements and road use permits.

3.2.2.9 *Yellowhead County*

Yellowhead County has raised concerns related to:

- Crossing agreements and road use permits.

3.3 Recommendations and Decisions

As described in Section 2.2, Trans Mountain's Director, Engineering will attend TWG meetings as a key decision-maker for the Project. Trans Mountain will use a Rolling Action Plan (RAP) of mutual interests to capture key topics of interest and concern, decisions made and action items with dates assigned to the parties. The RAP will assist TWG participants in keeping track of action items, prioritizing tasks, and aligning resources and decisions to those priorities. It will provide a summary of outcomes from the meetings, including issues resolved.

Areas for which both parties are unable to find resolution will be documented as such, and Trans Mountain will include a rationale for the lack of resolution.

3.4 Reporting and Communicating

Trans Mountain will prepare and distribute relevant meeting documentation, including agendas and meeting summaries, to TWG participants in advance of and following TWG meetings, respectively. These documents will be revised with any input from TWG participants and re-issued as required once reviewed by the relevant stakeholders. Table 3 illustrates Trans Mountain's process for preparing and distributing

meeting materials and documentation. The meeting summary template that will be used is included in Appendix C.

TABLE 3
TMEP PROCESS FOR PREPARING AND DISTRIBUTING TWG MEETING MATERIALS

Action	Trans Mountain Team/Person Responsible	Timeline
Develop agenda for TWG Meeting	Stakeholder Engagement and Communications	One (1) week post TWG or one (1) month in advance of TWG
Approve draft agenda	Director, Engineering	Three (3) weeks in advance of TWG
Circulate agenda to TWG participants for input	Stakeholder Engagement and Communications	Three (3) weeks in advance of TWG
Confirm technical experts to be in attendance	Stakeholder Engagement and Communications	Three (3) weeks in advance of TWG
Develop required materials, which could include: <ul style="list-style-type: none"> • PowerPoint Presentation • Reports or Plans (final or draft) • Maps 	Technical Expert or Stakeholder Engagement and Communications	Three (3) weeks in advance of TWG
Distribute draft agenda and any pre-reading materials to TWG participants	Stakeholder Engagement and Communications	Two (2) weeks in advance of TWG
Incorporate any feedback from TWG participants into agenda	Stakeholder Engagement and Communications	One (1) week in advance of TWG
Take notes at TWG	Stakeholder Engagement and Communications	During meeting
Produce draft meeting summary	Stakeholder Engagement and Communications	Two (2) weeks post TWG
Distribute meeting summary and attachments to TWG participants and additional distribution as required	Document Control	Three (3) weeks post TWG

All outcomes from the TWGs will be summarized in submissions made pursuant to Condition 49.

4.0 FEEDBACK REGARDING THE TERMS OF REFERENCE

The draft Terms of Reference shared by Trans Mountain were generally received favorably by municipalities. Some municipalities had feedback or requested minor changes. As stated above, Trans Mountain aims to resolve outstanding issues and concerns with facility owners and operators through the negotiation of crossing agreements or other relevant agreements, which is generally the preferred approach of facility owners and operators. These TWG processes are often specific to the focus of the negotiations at issue and are agreed to by all parties. As a result, Trans Mountain did not seek feedback from facility owners and operators on these TWG Terms of Reference. However, should a facility owner or operator participate in a TWG process with a municipality, Trans Mountain will invite feedback on the Terms of Reference from that party, revise the Terms of Reference as appropriate and update the Board on the feedback pursuant to Condition 49.

Feedback received by Trans Mountain regarding the Terms of Reference is included below in Table 4. This list is current as of February 10, 2017, and will be updated as part of future submissions pursuant to Condition 49.

**TABLE 4
FEEDBACK REGARDING THE TERMS OF REFERENCE**

Municipality	Feedback	Trans Mountain Response
City of Chilliwack	Request to circulate meeting notes for review and input three (3) weeks after meeting and to include copies of any documents reviewed or discussed at the meeting. City of Chilliwack requested these meetings to be scheduled on a Wednesday.	Trans Mountain accepts request and pending review of similar requests from other municipalities will amend draft Terms of Reference accordingly. Trans Mountain will review requests from other municipalities and confirm a regular meeting schedule with the City of Chilliwack in early 2017.
City of Coquitlam	The City of Coquitlam requested several amendments to the draft Terms of Reference. See Appendix D for the revised draft for the City Coquitlam. The City of Coquitlam requested meetings to be scheduled on the third Tuesday of every month between 10 am and 11 am PST. Tentative location to be City Hall, with need to adjust meeting location based on meeting room availability.	Trans Mountain has not yet responded to the City of Coquitlam with respect to its proposed amendments to the Terms of Reference. Discussion and finalization of the Terms of Reference will be added to the next TWG meeting agenda. The final Terms of Reference for the City of Coquitlam TWG will be filed pursuant to Condition 49. Trans Mountain will review requests from other municipalities and confirm a regular meeting schedule with City of Coquitlam in early 2017.
City of Kamloops	Request agreement on agenda three (3) weeks prior to TWG meeting.	Trans Mountain accepts request.

Trans Mountain Pipeline ULC
Trans Mountain Expansion Project

City of Merritt	Request agreement on agenda three (3) weeks prior to TWG meeting.	Trans Mountain accepts request.
District of Clearwater	Request agreement on agenda three (3) weeks prior to TWG meeting.	Trans Mountain accepts request.
District of Hope	Request to include Nestle Waters in TWG discussions as Nestle is an important employer in the community.	Trans Mountain confirmed that as a landowner, separate discussions are occurring with Nestle. TWG meetings are intended to discuss and resolve technical issues and concerns related to the construction of TMEP.
FVRD	<p>Request to expand scope of TWG mandate to include existing Kinder Morgan Canada (KMC) operations when appropriate.</p> <p>Request to include third parties, such as MOTI and other provincial agencies for agenda items of mutual interest and concern. MOTI is responsible for roads within FVRD boundaries.</p>	<p>The mandate of the TWG meetings does not include the existing Trans Mountain pipeline. TMEP will refer any issues or concerns related to the existing pipeline to the appropriate internal KMC representative or decision maker for action.</p> <p>TMEP has separate and ongoing discussions with MOTI and other provincial agencies. TMEP will convene meetings outside of the TWG process, as needed, when both parties are required for discussion and/or issue resolution.</p>
TNRD	Request agreement on agenda three (3) weeks prior to TWG meeting.	Trans Mountain accepts request.

5.0 APPENDICES

5.1 Appendix A: Sample letter of invitation (continued on next page)

October 28, 2016

Rod Sanderson
Deputy Director, Engineering
City of Chilliwack
8550 Young Road
Chilliwack, BC, V2P 8A4

VIA EMAIL

Dear Mr. Sanderson,

RE: Trans Mountain Expansion Project Invitation to Re-Engage in Technical Working Groups

For over 60 years Trans Mountain has taken pride in developing constructive working relationships with communities along our pipeline between Strathcona County, AB and Burnaby, BC. We have been engaged in conversations with Aboriginal groups, governments, landowners, and stakeholders about an expansion of our pipeline since the spring of 2012, when Trans Mountain announced its proposed Trans Mountain Expansion Project (TMEP).

On May 19, 2016 the National Energy Board (NEB) issued a positive recommendation on the proposed Project. This recommendation followed the most comprehensive regulatory review process in the history of the NEB. In December 2016, the Federal Government will render its final decision on the proposed Project, based on the NEB recommendation and information gathered directly through additional work it is completing this year.

The NEB recommended the federal government approve the Project subject to 157 conditions specifically designed to protect the environment, enhance safety and mitigate risk. Many of these conditions are in response to feedback from Intervenor and the communities we engaged. In addition to the NEB conditions, TMEP has made many more commitments to stakeholders that are on record with the NEB.

Input provided to our Project team has already, and continues to, influence refinement of the design and construction plans for the expansion. As TMEP planning progresses, decisions are being made on a daily basis about detailed design and construction. Your feedback at this time is more important than ever to continue to create a stronger, safer and more responsive Project.



Where local governments and others have outstanding concerns, we remain committed to working together to address interests and concerns related to the existing Trans Mountain pipeline as well as the proposed Project. Consistent with the TMEP team's approach to open and transparent engagement and communications, we invite you to participate in a re-formed Technical Working Group (TWG) for the TMEP as outlined in NEB Conditions 14 and 49. The new TWG format will replace previous TWG meeting procedures.

As the Trans Mountain Expansion Project Vice President, I am accountable for constructing the TMEP in a way that minimizes impact to communities to the greatest extent practical should the project be approved. My team has a clear mandate to follow this direction.

Please find attached a draft TWG Terms of Reference for your review as well as a copy of Conditions 14 and 49. Your feedback and input into the Terms of Reference is welcome. All outcomes from the TWGs will be posted on the TMEP website www.transmountain.com and summarized in filings to the NEB as per the schedule provided in Condition 49.

A member of our Stakeholder Engagement and Communications Team will follow up in the near future to discuss next steps.

Sincerely,

David Safari
TMEP Vice President

Attachment

Draft TWG TOR
NEB Conditions 14 and 49

CC: David Blain, Director, Planning and Engineering, City of Chilliwack
Lizette Parsons Bell, Lead, Stakeholder Engagement and Communications, TMEP
Kristjana Hawthorne, Specialist, Stakeholder Engagement and Communications, TMEP

5.2 Appendix B: TWG Contacts by Community

Municipality (BC)	Trans Mountain TWG key contacts	Municipal TWG key contacts
City of Abbotsford	Director, Engineering Specialist, Stakeholder Engagement	Consultant
City of Burnaby	Director, Engineering Regional Specialist, Stakeholder Engagement	Director, Environmental Engineering Director, Planning
City of Coquitlam	Director, Engineering Specialist, Stakeholder Engagement	Manager, Design & Construction and Executive Sponsor Primary Contact Secondary Contact Manager, Utility Programs
City of Kamloops	Director, Engineering Regional Specialist, Stakeholder Engagement	Director, Pubic Works and Utilities
City of Merritt	Director, Engineering Regional Specialist, Stakeholder Engagement	Pending
City of Surrey	Director, Engineering Specialist, Stakeholder Engagement	Manager, Design and Construction
District of Clearwater	Director, Engineering Regional Specialist, Stakeholder Engagement	Chief Administrative Officer
District of Hope	Director, Engineering Specialist, Stakeholder Engagement	Chief Administrative Officer
Fraser Valley Regional District	Director, Engineering Specialist, Stakeholder Engagement	Pending
Metro Vancouver	Director, Engineering Regional Specialist, Stakeholder Engagement	Director, Air Quality and Environment
Regional District of Fraser Fort George	Director, Engineering Regional Specialist, Stakeholder Engagement	Pending

Trans Mountain Pipeline ULC
Trans Mountain Expansion Project


Thompson Nicola Regional District, including: Community of Avola Community of Blue River Community of Little Fort Community of Vavenby	Director, Engineering Regional Specialist, Stakeholder Engagement	Pending
Township of Langley	Director, Engineering Specialist, Stakeholder Engagement	Director, Public Works Engineering Division
Village of Valemount	Director, Engineering Regional Specialist, Stakeholder Engagement	Pending

Municipality (AB)	Trans Mountain TWG contacts	Municipal TWG contacts
City of Edmonton	Director, Engineering Regional Specialist, Stakeholder Engagement	Oil and Gas Liaison
City of Spruce Grove	Director, Engineering Regional Specialist, Stakeholder Engagement	Director, Planning and Development
Parkland County	Director, Engineering Regional Specialist, Stakeholder Engagement	Land Agent / Utilities Officer
Strathcona County	Director, Engineering Regional Specialist, Stakeholder Engagement	Energy Exploration Liaison
Town of Edson	Director, Engineering Regional Specialist, Stakeholder Engagement	Chief Administrative Officer
Town of Hinton	Director, Engineering Regional Specialist, Stakeholder Engagement	Chief Administrative Officer
Town of Stony Plain	Director, Engineering Regional Specialist, Stakeholder	Town Manager

Trans Mountain Pipeline ULC
 Trans Mountain Expansion Project

	Engagement	
Village of Wabamun	Director, Engineering Regional Specialist, Stakeholder Engagement	Chief Administrative Officer
Yellowhead County	Director, Engineering Regional Specialist, Stakeholder Engagement	Planning and Development Manager

5.3 Appendix C: TWG Meeting Summary Template

 <p>TRANS MOUNTAIN EXPANSION PROJECT Technical Working Group Meeting Summary (Insert name of Group)</p>				
AGENDA TOPICS: 1. Agenda item 2. Agenda item			LOCATION:	
MEETING DATE (yyyymmdd):		TIME: (24hr):	PREPARED BY:	
REFERENCE NUMBER:			<input type="checkbox"/> DRAFT (summary provided to participants for input) <input type="checkbox"/> FINAL	
ATTACHMENTS TO ACCOMPANY MEETING SUMMARY:				
PARTICIPANTS				
Full Name	Title	Organization	Email	Phone
ADDITIONAL DISTRIBUTION				
Full Name	Title	Organization	Email	Phone

5.4 Appendix D: Amendments to the Terms of Reference

TMEP Technical Working Group Proposed Revised TERMS OF REFERENCE

Draft presented to City of Coquitlam on October 28, 2016

Draft revised by Coquitlam December 08, 2016

For discussion at the next TWG with the City of Coquitlam

PURPOSE

On May 19, 2016, after a comprehensive review, the National Energy Board (NEB) recommended the Federal Governor in Council approve the proposed expansion. The Government of Canada will make its decision on the Project in December 2016, and if approved, the in-service date for the expanded pipeline and associated facilities and infrastructure will be targeted for December 2019.

If approved, the NEB's recommendation will allow the Project to proceed, subject to meeting 157 conditions. Two of these Conditions address continuation of the Technical Working Groups (TWGs); Conditions 14 and 49 – see Appendix A.

SCOPE AND MANDATE

The intent of the meetings is to act as a forum for discussing topics of mutual interest as they relate to TMEP, including the tracking and resolution of outstanding concerns. It is intended that the Terms of Reference and TWGs will improve communication including creating an opportunity to share information, discuss topics of mutual interest and resolve concerns, including those outstanding from the Hearing Order.

The focus of the TWGs may evolve through the design, construction and operations phases of the project and will include various topics of mutual interests related to the proposed TMEP. TMEP aims to collaborate to address outstanding concerns.

TWG Goals

Trans Mountain proposes the following goals to guide the TWGs:

- The TWGs are a forum to exchange information related to the proposed TMEP and are intended to be constructive discussions that are solutions-oriented in nature.
- It is assumed information discussed at TWG meetings can be shared in a public forum unless either party requests discretion.
- Discussions will be documented and summarized to the NEB (as per Condition 49).
- Trans Mountain recognizes stakeholder participation in any TWG meeting does not imply endorsement for the proposed TMEP, nor does it imply the stakeholder indirectly approving any permit applications or other submissions from TMEP.
- The TMEP Team endeavors to incorporate input received during TWG meetings into its plans for the proposed TMEP where practical, and to provide rationale if input is not incorporated.

Topics

The topics discussed in the TWG meetings include, but are not limited to, pipeline alignment within the Study Corridor, construction methodology, timing and communication, socio-economic effects monitoring, municipal and community water sources, stakeholder land use, existing and future infrastructure, by-law and permitting compliance, operations, traffic management, construction safety, regional parks considerations, watercourse crossings, emergency response and other interests identified by either party.

Meeting Materials, Structure, Frequency, and Details

Design drawings, environmental reports, permit applications, traffic control plans, material staging plans, and/or any other subject matter deemed of interest to the City of Coquitlam shall be submitted a minimum of 2 weeks in advance of a scheduled meeting if it is to be tabled at said meeting. These documents are to be submitted to the City's Utility Permit Review Process by email - utilitypermits@coquitlam.ca, with the exception of traffic control plans which are to be submitted through the Sidewalk & Lane Closure Request process found on the City's website under Licenses & Permits. Through these processes, drawings will be distributed to all relevant departments in the City and a comment package will be assembled and sent back to Trans Mountain and their designated consultants.

Meetings shall be scheduled at regular monthly intervals but only held if materials have been submitted for review. If a meeting is deemed necessary it must be confirmed at least 1 week in advance by the issuance of an item specific agenda by either party. Dates and times of specific meetings are to be selected based on mutual convenience. Subgroups may be formed to address specific technical matters with subject matter experts as required.

The location of the TWG meetings will be determined in advance of the meeting, based on mutual convenience. The TMEP Team offers to visit stakeholder offices or host the meeting at a mutually agreed location. Meetings are intended to be in person to ensure ease of discussion; conference calls can be used where convenient and as needed.

Meetings will continue through construction planning or until mutually agreed. Meetings during construction may continue in this or a different format, to be determined in discussions with TWG members.

Accountability and Meeting Attendance

TMEP's sponsor for the TWGs will be its Vice President, Trans Mountain Expansion Project. As a member of the Kinder Morgan Canada Executive Team, the Vice President is accountable for construction of the proposed TMEP, subject to approvals. The Vice President will attend the initial TWG meeting for each stakeholder to reconvene the conversation and subsequent ones where applicable.

Coquitlam's sponsor for the TWGs will be the Manager, Design & Construction, who will attend the initial TWG meeting and subsequent meetings as required.

Attendees for subsequent meetings will be determined by both parties in advance. The TMEP Team proposes a single point of contact within each party be responsible for coordinating the meetings, including required attendees. Attendance at TWG meetings by either party will be determined on an issue by issue basis; however, attendance by parties able to make decisions for either party is required. The goal is to keep the meetings focused and results orientated. Attendees could include:

- decision making representatives from stakeholders' key departments affected by the proposed TMEP;
- representatives from TMEP Contractors, Engineering, Lands, Permitting, Traffic Management, Environment, Stakeholder Engagement and Communications as needed; and
- other external stakeholders who have an interest in the intended topic of discussion, as agreed to by both parties.

Trans Mountain commits to have a decision maker in attendance at meetings.

Protocols and Mechanisms for Implementing Recommendations/Decisions

Trans Mountain will use a Rolling Action Plan (RAP) of Mutual Interests to capture key topics of interest and concern, decisions made and action items with dates assigned to the parties. The RAP will provide an accumulative archive of City comment packages, Trans Mountain responses to said comment packages, and a summary of outcomes from the meetings, including issues/topics resolved.

Areas for which both parties are unable to find resolution will be documented as such, and Trans Mountain will include a rationale for the lack of resolution.

Reporting and Communicating

The city will prepare comment packages within 3-weeks of receiving a submission from Trans Mountain and submit to Trans Mountain for consideration and archiving. Following a meeting, relevant meeting documentation (RAP) will be distributed to meeting attendees to review for completeness. These will be revised and re-issued as required once reviewed by the relevant stakeholders.

All outcomes from the TWGs will be posted on the TMEP website www.transmountain.com and summarized in filings to the NEB as per the schedule provided in Condition 49.

Coquitlam TWG Contacts*

Function
Manager, Design and Construction and Executive Sponsor
Primary Contact
Secondary Contact

* Subject to change upon notification