

Columbia River Treaty Local Governments Committee
Terms of Reference
May 2019

Background

Whereas:

1. The Columbia River Treaty (CRT) ratified by Canada and the USA in 1964 provided benefits for Pacific Northwest region as a whole but has specific regional and local impacts to the area known as the Canadian Columbia Basin (the Region).
2. Consideration is currently being given by US and Canadian Entities based on an opportunity to renew, amend or terminate the CRT and some of its sub-agreements.
3. Local governments within the Region (Local Governments) have expressed a desire to actively and meaningfully engage in decisions around the future of the CRT on behalf of the residents of the Region (Basin Residents).

Therefore:

Local Governments have agreed to work together in creating the **Columbia River Treaty Committee** (CRT Committee) to assist Local Governments and Region residents to engage in decisions around the future of the CRT and work collaboratively with Columbia Basin Trust (CBT) on this issue.

1. Role:

The CRT Committee will provide a coordinated venue to:

- Ensure Local Governments of the region are actively engaged in CRT related issues.
- Create opportunities for dialogue and consultation with Canadian Provincial and Federal agencies around CRT related issues
- Work with CBT to create education and awareness activities in the Region to increase Local Government and Basin Residents understanding around CRT related issues.
- Work to help Canadian Provincial and Federal agencies to understand regional views, values and interests with respect to the CRT.
- Create mechanisms that consider Basin Residents' views in any discussions related to the future of the CRT and where appropriate, advocate for specific interests of the region.

CBT will provide support and expert advice to the Committee as required and agreed to between CBT and the Committee.

2. Responsibility:

- a) The CRT Committee will be responsible for developing a workplan that identifies specific actions to address the items identified in section 1 above.

- b) Members of the CRT Committee will be responsible for reporting back to the Local Government that appointed them to the Committee.
- c) Participation by Local Government representatives on the Committee does not preclude any Local Government from taking independent action with respect to any CRT matter.

3. Authority:

The CRT Committee's authority is limited to the roles identified in section 1 above and the tasks and projects outlined in the CRT Committee workplan that is to be developed.

The CRT Committee, and members of the Committee, will not represent the interests of the individual Local Governments unless explicit authority is provided by these entities.

4. Membership:

Initial CRTC membership (Members) will consist of 10 Members appointed as follows:

- 2 by Regional District of Central Kootenay
- 2 by Regional District of East Kootenays
- 2 by Regional District of Kootenay Boundary
- 2 by Columbia Shuswap Regional District
- 1 by the Village of Valemount
- 1 by the Association of Kootenay Boundary Local Government. An individual who is appointed by one of the Regional Districts may also be appointed by the Association.

Membership may be expanded to include other Local Governments, including First Nations, as and when determined by the Committee.

The Committee will select its own Chair and Vice Chair. Terms will coincide with local government election terms.

The Committee may decide to invite the Past Chair to serve as a non-voting member for 1 year who is called-upon to support the Committee as and when needed.

Members do not necessarily have to be elected officials.

5. Appointment and Removal Process

Appointments to the CRTC will be for a term of 4 years and may be renewed by the respective Local Governments.

Members may be removed or replaced at the discretion of each Local Government.

The CRT Committee may request to the respective Local Government that individual Members be replaced.

6. `Membership Commitment:

Members will be expected to

- a) Attend a minimum of 4 annual meetings in person (generally held in the Region).
- b) Attend teleconferences and other meetings as required and schedule permits.
- c) To the best of their abilities assist in carrying out the roles and responsibilities of the CRT Committee as identified in Sections 1 & 2 above.

7. Financial Remuneration:

Members will be reimbursed for all travel, accommodation, meal, registration fees and phone/fax expenses incurred while carrying out the work of the CRT Committee by and in accordance with the policies of the Local Government that appoints the member.

Appendix I

CONFLICT OF INTEREST AND CONFIDENTIALITY POLICY

1. Definition

- 1.1 A conflict of interest is defined as an actual or perceived interest by a Committee member in an action that results in or has the appearance of resulting in, personal, organizational or professional gain. More generally, conflict of interest can be defined as any situation in which an individual is in a position to exploit a professional or official capacity to advance:
- their personal interests; or
 - the interests of a related person; or
 - the interests of their business associate, corporation, union or partnership; or
 - the interests of a person to whom the individual owes an obligation.
- 1.2 The definition of conflict of interest includes any bias or the appearance of bias in a decision-making process that would reflect a dual role played by a Committee member(s).

2. Principles

- 2.1 Committee members shall avoid conflict of interest or the appearance of conflict of interest, either directly or indirectly. Their personal interests must not be in conflict with the interests of the steering committee. For example, Committee members must be alert to such situations as:
- (a) participating in decisions which will substantially influence the probability of obtaining a contract as an administrative agent or a project of interest' being funded through the Committee.
 - (b) disclosing Committee information for personal gain; and/or
 - (c) advocating personal or organizational interests rather than the broad geographic interests of all of the Basin.
- 2.2 In addition, Committee members should recognize that their membership on the committee provides them with information, which could be used or seen to be used to the advantage of their own organizations or those they have contact with. The Committee members must respect the confidentiality of any information which could be used or seen to be used for the advantage of some individuals or organizations until that information is made public.

3. Steering Committee Member Conduct Regarding Conflict of interest

3.1 Disclosure:

A Committee member shall declare a possible conflict of interest or the appearance of a conflict of interest as soon as practicable. Committee members are required to maintain a sense of fairness, civility, ethics and personal integrity while making decisions as a Committee member.

3.2 Absent themselves from the discussion:

Following a declaration of a possible conflict of interest by a Committee member, the Committee shall consider the information regarding the conflict and determine if the member in potential conflict should leave the meeting for the duration of the discussion and any related decision-making.

Further, after having declared a conflict of interest and left the discussion, no further information pertaining to that item shall be distributed to the Committee member.

3.3 Failure to Comply:

In the event that a Committee member knowingly fails to declare a conflict of interest, they will be subject to dismissal from the Committee immediately. In addition, the Committee will consider termination of any administrative contract or project of interest awarded or considered with the participation of the Committee member in conflict.

4. Members Conduct Regarding Confidentiality

4.1 Committee members should also avoid the perception that their access to privileged Committee information might give the organizations of which they are part an unfair advantage over others.

4.2 Members can avoid this perception of unfair advantage by:

- Ensuring that the information Committee members are privy to by being part of the Committee is kept strictly confidential until such time as it is released to the public.