Columbia River Treaty
Negotiations Team/Local Governments Committee
Communications and Engagement Protocol DRAFT
October 2018

Context

During 2012 and 2013 the Provincial Columbia River Treaty (CRT) Review Team worked closely with the CRT Local Governments Committee (Committee) to consult with Basin residents about the future of the CRT. In December 2013 the Committee provided recommendations to the federal and provincial governments. In March 2014, BC made its decision to seek improvements to the CRT, not termination.

Since that time, the Committee has worked with the Review Team and BC Hydro to create and guide the Columbia Basin River Advisory Committee (CBRAC) as a mechanism to provide advice on the future of the CRT and advise regional hydro-system operators on domestic issues. CBRAC members are resident from across the Basin and a range of interests as well as appointed First Nations and local government representatives.

These processes have come some way to reduce the historical legacy of distrust and alienation from governments and BC Hydro after the absence of regional consultation before the CRT was signed in 1961.

Beginning in 2016, Committee has worked to establish solid relationships with Global Affairs Canada staff - the federal agency responsible for negotiating the CRT, including the Lead Negotiator.

Formal negotiations between Canada and the U.S. were announced in December 2017. Continued open communications and engagement of the Committee regarding achievement of its recommendations is essential during negotiations.

Purpose

This protocol outlines the agreed-to communications objectives and approaches between the Negotiations Team (the Team) and the Committee.

Objectives

- Create effective and efficient ways for local governments to provide local perspectives to government negotiators during negotiations.
- Create opportunities for local governments to collaborate with the B.C. and Canadian governments to develop options and explore trade-offs within a modernized Treaty to best meet the interests of Basin residents.
- Contribute to the confidence of Basin local governments and residents that their interests are being considered in Treaty negotiations and communities are being kept informed.

- Do not put local government members in untenable situations with regards to confidentiality, nor create risks for senior governments regarding the confidentiality of negotiations.

Principles/Ground Rules

- **Engaged early** – Local governments have been engaged by the provincial and federal governments at the initiation of discussions with the U.S. government.
- **Right timing** – Local governments will be consulted and engaged at least whenever trade-offs or options that may impact Basin interests are being considered in the negotiations. This can be expected to result in different levels and frequency of engagement throughout the negotiations.
- **Access to information** – Appropriate level of background information will be readily available to local government representatives when input is sought during negotiations.
- **Adequate funding/expertise** – The Committee must have adequate funding from a variety of potential sources and access to independent expertise as needed to effectively engage throughout Treaty negotiations.
- **Reasonable, practical response times** – The process will facilitate reasonably timely responses from all parties to requests for information and feedback.
- **Feasibility of engagement** - Consideration will be given to time and resource constraints of local government members and funding available for the contracted Executive Director.

Processes

Communications

1. All parties will make best efforts to promptly share relevant media and communications. The Team will address errors when appropriate.
2. The province will use the CRT engagement website to post credible, up to date information and answers to questions. The AKBLG website and Committee members will direct constituents to this site for information.
3. The Lead Negotiator and other Team members will make best efforts to brief the Committee:

   a) at least monthly as needed,

   b) as soon as possible after each negotiation session, and

   c) as needed to address issues.
4. Unless noted otherwise, information provided to the Committee will not be confidential.
5. After each briefing Committee and Team staff will prepare agreed-to brief notes for Committee members to distribute.

Engagement regarding LGC Treaty Recommendations

1. The Negotiations Team will seek input from the Committee to consider the LGC Treaty Recommendations in the negotiations.

2. Advice from the Committee will be sought if negotiating outcomes appear not to be consistent with the Committee's recommendations, including specific desired outcomes if these are defined by the Committee.

October 25, 2018

Deb Kozak,
Chair, CRT Local Governments Committee
Association of Kootenay-Boundary Local Governments

Date

OCT 24, 2018

Kathy Eichenberger,
Executive Director, BC CRT Team
Ministry of Energy, Mines and Petroleum Resources

Date