

13.0 STANDING ADVISORY COMMITTEE **DRAFT TERMS OF REFERENCE**

13.1 Introduction

Ontario Power Generation Inc. (OPGI), and the Ministry of Natural Resources (MNR) have cooperated to optimize operational strategies for water levels and flows of the Matabitchuan River and its headwaters to balance environmental, social and economic needs. OPGI constructed and manages facilities for the primary purpose of producing electricity for the energy consuming public. However, in doing so, clear recognition has been given to the potential effects of facility development and water level manipulation on the natural environment and other users such as cottagers or recreationalists. Potential environmental effects have been identified and mitigated or addressed through use of operating constraints, which, in some cases have reduced the generating capability of the facility. Since 2003, by means of public consultation and the advice and guidance of a Public Advisory Committee, a new operating plan for the Matabitchuan River and a scoping report detailing the Issues, Concerns and Solutions brought forward by the public have been produced. The Standing Advisory Committee (SAC) will be established to advise, monitor and assist in the implementation of the Matabitchuan River Water Management Plan. The SAC would be composed of a number of citizens representing a diversity of interests along the course of the river, some of whom might be members of the existing PAC, OPGI, and the MNR have committed to this course of action.

13.2 Mandate

The Standing Advisory Committee will provide a mechanism for the public and First Nations to contribute to the implementation of the Water Management Plan, follow the progress of the plan's implementation and be aware of any issues or proposed changes to the plan. The formation of such a committee will not only enhance OPGI's, and the MNR's ability to deliver the management responsibilities outlined in the plan, but also provide a communications link with the public and First Nations to foster and maintain credible relationships. The members of the SAC will be broadly representative of the many and various interests and uses of the river throughout the entire watershed area. The SAC will report to the Matabitchuan Steering Committee, made up of senior management staff from OPGI, MNR, DFO, First Nations and the SAC chair. Final decisions on advice received from the SAC shall rest with the Steering Committee members whose organizations are legally responsible for the management of the water resource.

13.3 Roles

The Standing Advisory Committee will perform the following activities:

- Review and advise on matters relating to the implementation of the Matabitchuan River Water Management Plan including:
 - a) reviewing and recording all issues raised relating to the implementation of the Matabitchuan River Water Management Plan;
 - b) advising OPGI, and the MNR on issues related to water levels and flows in the watershed;
 - c) reviewing all data collected during the monitoring of the plan;
 - d) advising on all proposed minor amendments to the plan;
 - e) advising on all proposed major amendments received by OPGI, and the MNR, and as to whether they should be incorporated in the plan and under what terms of public consultation, or if the application should be considered at the next public review of the plan.

- Facilitate the partnership of groups, agencies, organizations, clubs or individuals with OPGI and the MNR to assist in implementing the water management plan;
- The Standing Advisory Committee will monitor the implementation of the plan and produce an annual status report in March of each year to be distributed to OPGI and the MNR;
- OPGI, and MNR will each develop a process to log communications from the public regarding water levels and flow issues which will be available for the Standing Advisory Committee to review as part of their roles and responsibilities;
- Assist OPGI, and the MNR in implementing communications and consultation by:
 - a) seeking to ensure the participation of all interested parties (the general public, First Nations and interest groups) in any consultation process;
 - b) jointly hosting formal consultation sessions with OPGI, and the MNR;
 - c) reviewing written requests from the public and First Nations for changes to the plan and advising whether any such requests warrant a review of the Water Management Plan.

13.4 Composition

The Standing Advisory Committee shall be composed of no more than nine members of the public and no fewer than six. In addition, First Nation communities in the watershed will be invited to select one member from each FN community will be invited to participate on the SAC. Members of the advisory committee shall be selected by OPGI and the MNR. They will be assisted by one member of the PAC who will be selected by the other PAC members. Members' selection will be based on:

- a) the knowledge and perspectives they can provide, rather than representing a specific constituency;
- b) ensuring a diversity of perspectives or interests are represented, including fishing, recreation, cottagers, boating, tourism, conservation, protection, trappers, business, and municipal government, among others;
- c) ensuring that citizen representation covers the entire watershed and have a knowledge of the entire Matabitchuan River basin;
- d) the majority of the members live/work in the Matabitchuan River basin geographic area;
- e) demonstrated ability to work with other groups or organizations to form effective partnerships;
- f) demonstrated ability to work with others in resolving issues.

Members shall be appointed to the committee for a term of three to five years, rotating three at a time.

13.5 Administration

The following administrative rules shall apply to the functions of the committee:

- The members shall select a Chair, a Vice-Chair and Secretary, who will serve on an annual basis. Their terms may be extended by the members.
- The members may establish an alternate person to represent them in their absence, but each member cannot miss more than one meeting per year. The alternate is to be established and approved at the time of appointment.
- The members will be reimbursed for reasonable expenses, such as travel and meals.
- Meetings will be held at the direction of the Chair, to a minimum of two meetings and a maximum of four per year. Additional meetings may be scheduled with the agreement of all members or as requested by OPGI, and/or MNR.
- The Chair shall be responsible for ensuring adequate notice to members of upcoming meetings, meeting agendas, and the overall conduct of meetings.

- In the absence of the Chair, the Vice-Chair shall assume the responsibilities of the Chair.
- Representatives from OPGI and the MNR will be assigned to the committee and will act in an advisory, facilitating and liaison capacity to the committee.
- The committee secretary shall be responsible for preparing meeting agendas and placing items on the agenda at the request of committee members
- OPGI and the MNR shall provide secretarial support to the SAC. The secretary shall record the minutes of each meeting, including key discussion points and action items, if any.
- The minutes shall be reviewed and approved by the SAC and available for public review.
- Recommendations of the SAC shall be arrived at by consensus decision-making. Where consensus is not achieved, dissenting viewpoints will be noted and the decision referred to the Steering Committee.
- Recommendations of the SAC will be submitted to the Steering Committee and a decision on the recommendations will be made by the Steering Committee co-chairs (proponent and regulator). A decision summary will be provided by these to the committee, including written descriptions of where and why they agree or disagree with the recommendations of the SAC.
- Meetings shall generally be open to the public, although the committee shall have the right to meet in-camera where matters to be considered need to protect the privacy rights of individual(s).
- Meetings are working sessions; members of the public may observe the sessions and may make scheduled presentations if submitted to the Chair at least ten days prior to the agenda being set for the next meeting, and SAC members notified.
- Other OPGI and MNR staff may attend portions of committee meetings in the capacity of advisory or resource persons, and may provide the committee with data and information on matters related to the review through presentations and upon members' request.
- OPGI and MNR will provide orientation training for the members of the Standing Advisory Committee.

13.6 Selection Process

SAC members will be selected by OPGI, and the MNR, with assistance from one member of the former Public Advisory Committee. Through advertisements and letters of invitation, the public will be invited to submit an expression of interest to participate on the SAC. Applicants will be selected based on the criteria outlined in her terms of reference and after completing an interview.

13.7 Location of Meetings

SAC meetings will be held in different locations within the Matabitchuan River basin to allow greater public access to them.

