

International Lake Champlain – Richelieu River Study

Guidance to the Study Board on Communication and Public Participation

November 2016

The Study Board is responsible for developing and implementing a Communications Plan, which should be guided by and consistent with the principles contained in the Directive and in this Guidance.

Background

The International Joint Commission (Commission) is committed to the requirement in the Boundary Water Treaty that all interested parties shall be given convenient opportunity to be heard. Therefore, the Commission promotes policies and programs that enable community input in the decision making process. This Guidance is hereby issued to the Study Board in order to facilitate public participation in the International Lake Champlain – Richelieu River Study (Study), the mandate of which is set out in the Commission's Directive to the Study Board.

If any conflict between this guidance and the Directive is noted, the Directive shall prevail.

Public participation in the Study will be objectives-driven. The principal objectives are to:

- a. Make the public aware of the Study and provide opportunities to participate;
- b. Identify and consider the public's views of the principal issues and questions of the Study;
- c. Explain the decision-making process of the Study;
- d. Insure that the Study process is open, inclusive and fair;
- e. Identify and consider the public's priorities and preferences;
- f. Identify and utilize local expertise and information;
- g. Enhance public understanding of the causes and effects of flooding and potential solutions;
- h. Broadly disseminate Study findings as they become available; and
- i. Encourage the public to assist in disseminating Study findings.

The Study Board will directly engage early with Aboriginal peoples including but not limited to, First Nations, Métis and Native American Tribes historically in the basin to seek their input in the Study and their involvement in the PAG as described in the directive. Neither the Commission, nor the Study has any role in fulfilling the Canadian Crown's duty to consult with Métis or First Nations.

Public

For purposes of this Guidance, the public means any person, association, organization or group that is affected, likely to be affected by, or has an interest in the Study and any decisions that may ultimately be taken by the Commission in response to the findings or recommendations of the Study. The public includes, but is not limited to, the following individuals and organizations from the following:

- Environmental work
- Navigation including recreational boating
- Industry
- Agriculture

- Water supply and stormwater/sewage treatment
- Riparians
- Municipalities

Public Participation

Public participation will be open, inclusive and fair. For purposes of this Guidance, public participation means:

- Making the public aware of the Study by:
 - explaining the decision-making process of the Study;
 - broadly disseminating Study findings as they become available; and
 - enhancing the public's understanding of system operations, Study findings, and the consequences of proposed solutions.
- Providing opportunities for the public to participate in the Study by:
 - expressing its views of the principle issues, questions, and Study objectives;
 - expressing its priorities and preferences;
 - serving on the PAG and
 - contributing local expertise and information.

Proposed Activities

In conducting its communications and public participation activities, the Study Board will:

- Make the public aware of and provide it with information about the Study by, among other means: issuing news releases, backgrounders and updates as appropriate; respond to media inquiries and correspondence from the public; and establishing and promoting a Study information portal on the Commission's web site and social media.
- Invite comments from the public on specific or general issues associated with the Study, and providing opportunities for the public to express its views by, among other means: publicizing a mailing address for correspondence and submissions; establishing and promoting the use of a dedicated e-mail address; hosting a web-based dialogue; and conducting public participation meetings, as appropriate.
- Engage representatives of the public in the Study on an ongoing basis through the Public Advisory Group (PAG), established by the Commission in consultation with the Study Board, to advise on the Study Board's public participation activities set out in its directive.

To facilitate public outreach and consultation, the Study Board shall make information related to the study as widely available as practicable, including white papers, data, reports of the Study Board or any of its subgroups, and other materials, as appropriate.

The Study Board will liaise with the Commission's Communication Advisers in Ottawa and Washington for advice, support and coordination, as appropriate. The Study Board will also liaise with the PAG in designing and implementing the communications plan.

In order to inform and provide context for the technical investigations associated with the Study, the public will be consulted at the beginning of the Study to identify the public's views on the:

- Principal issues, questions and Study objectives.
- Available knowledge in the form of historical data, anecdotal information indigenous knowledge.
- Existing or future plans, activities and initiatives.

Public participation activities will be conducted at strategic junctures throughout the Study to:

- Identify and utilize local expertise and information.
- Consult on critical or potentially controversial study findings before these Study components have been finalized.
- Disseminate plain language information to enhance public understanding of the causes of flooding and structural or other mitigation.
- Enhance public understanding of proposed regulation strategies on downstream and upstream water levels.
- Identify the public's priorities and preferences as alternatives are defined and optimized.
- Consult on Study Board findings, conclusions and recommendations before they are final.

To encourage public participation, meetings of the Study Board and the PAG may be open to the public, announced in advance and held at different locations across the basin in order to provide opportunities for members of the public to attend and observe.

The PAG is to receive its direction from and directly liaise with the Study Board.

The PAG will be binational and may include individuals associated with the following interests:

- Environment;
- Navigation including recreational boating;
- Industry;
- Water supply and stormwater/sewage treatment;
- Agriculture;
- Municipalities;
- First Nations and Tribes;
- Riparians.

The members of the PAG will make their own arrangements for reimbursement of necessary expenditures unless otherwise arranged with the Commission. The PAG will meet in the basin, or by teleconference. Members will not be compensated for their time. Secretarial support will be provided to PAG functions, such as distributing documents and organizing meetings, by the Study Managers.

Discussion during PAG meetings is to be open, frank and free-flowing. All members of PAG have equal status during discussion and are expected to demonstrate fairness and a commitment to in-depth examination of matters under review. Advice from the PAG to the Study Board should not necessarily be consensus advice, but should reflect the multiplicity of views of its members, although it can weight its

advice by noting where most or all members agree. Topics that fit within the mandate of the Study should be discussed. Minutes of PAG meetings are prepared and certified for accuracy by the PAG Co-chairs. Minutes are kept to the minimum detail required to summarize effectively the proceedings and to reflect advice offered. There is no attribution of comments unless specifically requested by a member.

PAG Co-chairs will be responsible for the approval and distribution of the minutes, with the assistance of the Study Managers. The minutes will be posted to the Study Board website, as authorized by the Study Board.

The mission of the PAG is to:

- a. Review and provide comment on Study Board reports and products as requested;
- b. Advise the Study Board on the responsiveness of the study process to public concerns;
- c. Advise the Study Board on public consultation, involvement and information exchange; and
- d. Serve as a conduit for public input to the study process, and for public dissemination of study outcomes.

Members carry out the mandate of PAG by:

- a. Demonstrating preparedness for meetings;
- b. Fostering and contributing to an open and collaborative climate;
- c. Actively providing constructive input to the deliberations;
- d. Drawing on their knowledge, contacts and experience to provide informed input into discussions; and
- e. Maintaining a good attendance record.

The Study Board will work with the PAG throughout the basin and conduct public participation activities at strategic points in the study to:

- a. Identify and utilize local expertise and information;
- b. Consult with the public on critical or potentially controversial study findings;
- c. Disseminate plain language information to enhance public understanding
- d. Identify and consider the public' priorities and preferences, as well as those of Native American and Aboriginal Peoples, as alternatives are defined and optimized; and
- e. Consult with the public, as well as Native American and Aboriginal Peoples, on Study Board findings, conclusions and before these study components have been finalized.