

**Water Initiatives Committee  
Water Initiatives Advisory Panel  
Terms of Reference**

**1. Background:**

Columbia Basin Trust (CBT) has a mandate in the area of water as identified in the CBT Management Plan (Goal 6), the Binding Agreement between the Province of British Columbia and CBT (Sections 6.7 and 6.10), and support and direction from the Columbia Basin communities through symposiums and other public consultations.

Currently there is no comprehensive vision in the Basin that incorporates a wide range of values with respect to water. Basin residents have voiced a number of concerns regarding water. CBT hopes to create a forum and act as a facilitator or convenor to ensure that long-term water quality and quantity issues in the Basin are addressed according to the residents' values and views.

One of the most significant drivers in water management in the Columbia Basin is the potential change resulting from the renewal, termination or re-negotiation of the Columbia River Treaty of in 2024. Canada and the United States (US) must give notice of their intentions regarding the CRT before 2014. Basin residents' values and views should be a key part of this process from start to finish.

The CBT Board of Directors Water Initiatives Committee has developed a strategy, which outlines specific activities that the CBT will undertake to fulfill its mandate in the area of water. This strategy identifies the Columbia Basin Trust's long-term vision, principles, goals and three-year objectives for the CBT water initiatives program.

In order to undertake the activities identified in the strategy, the CBT recognizes that it will need to draw upon the skills and knowledge of a variety of people and organizations in a collaborative and mutually beneficial manner.

**2. Authority:**

The Advisory Panels' authority is limited to tasks assigned to them by the CBT Water Initiatives Committee. The Advisory Panel will not represent the interests of CBT and individual panel members are not staff or agents of CBT.

**3. Responsibility:**

The Advisory Panel will be responsible for providing expert advice and council to the CBT BOD through the CBT Water Initiatives Committee. The advisory panel will do so in keeping with the Guiding Principles identified in the CBT Water Initiatives Strategy.

The purpose of these appointments is twofold:

1. The appointment is seen to increase the quality of specialized expertise available to the region in the area of water.

2. The appointment provides insight and strategic leadership in those areas of importance to the success of the Basin Water Initiatives Program, including issues leading up to the potential renegotiation or termination of the Columbia River Treaty.

#### **4. Role:**

The Advisory Panel will provide expert advice and counsel in assisting:

- The CBT Board of Directors (BOD), CBT partner organizations, and Basin Communities in building capacity in the Basin in the area of Water.
- CBT and its partner organizations by providing expert advice in dealing with specific Water Related Issues that affect the Basin (i.e. The US Army Corps of Engineers Alternative Flood Control Operations at Libby).
- CBT in undertaking its mandate in the area of water by increasing the CBT's network, leveraging capability and partnerships.
- CBT in implementing its Water Initiatives Strategy.

#### **5. Membership:**

##### Skills/Expertise:

The Water Initiatives Advisory Panel will be made up of no more than 10 individuals with a diverse mix of expertise in the area of water.

This expertise will include but is not limited to:

- Hydrology
- Resource Economics
- Domestic Water Law
- International Water Law
- First Nation Interests
- Power Generation
- Public Consultation/Community Consensus Building
- Strategic Planning
- Aquatic and Terrestrial Ecosystems
- US Water Law/Management
- Communications/Marketing

##### Appointment and Removal Process

The CBT BOD will appoint or remove any member of the Advisory Panel on the recommendation of the CBT Water Initiatives Committee.

Appointments to the Advisory Panel will be for a term of 3 years and may be renewed by the CBT BOD.

##### Membership Commitment:

Advisory Panel Members will be expected to

1. Attend no more than 3 annual meetings in person (to be held in the Canadian Columbia Basin).
2. Attend teleconferences and other meetings as required and schedule permits.

3. To the best of their abilities assist in carrying out the roles and responsibilities of the Advisory Panel as identified in Section 3 & 4 above.

Financial Remuneration:

Advisory Panel members will be reimbursed for all travel, accommodation, meal and phone/fax expenses incurred while carrying out the work of the panel.

**6. Conflict of Interest and Confidentiality**

The Water Initiatives Advisory Panel will be required to adhere to the Conflict of Interest and Confidentiality Policy attached in Appendix 1.

**CBT Water Initiatives  
Advisory Panel  
Conflict of Interest and Confidentiality Policy**

**Principles:**

- A)** Advisory Panel members shall avoid conflict of interest or the appearance of conflict of interest. Their personal or organizational interests must not be in conflict with the interests of Columbia Basin Trust (CBT) and/or the Advisory Panel. For example, Advisory Panel 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 with Columbia Basin Trust or a project of interest being funded through Columbia Basin Trust. This could occur when:
    - An Advisory Panel member (or immediate family member) is also a member or employee of a proponent organization; or
    - When implementation of an administrative agent contract or project will result in a personal or business benefit or advantage for an Advisory Panel member (or immediate family member); or
    - When implementation of an administrative contract or project will result in an increase or decrease in the value of real or personal property of a Advisory Panel member (or immediate family member); or
  - (b) Disclosing CBT information for personal gain
  - (c) Advocating organizational interests rather than the broad interests of all of the Canadian Columbia Basin (as defined by the CBT Act).
- B)** In addition, Advisory Panel 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 members must respect the confidentiality of any information, which could be used or seen to be used for the advantage of some organizations until that information is made public.

***These principles do not preclude or limit the ability of Advisory Panel members to undertake contract work on behalf of CBT.***

**Member Conduct Regarding Conflict of interest:**

**(1) Disclosure:**

Advisory Panel members shall declare a possible conflict of interest:

- If on review of the agenda of the Advisory Panel meeting, he/she sees an item where they feel they may be in conflict or;
- At the beginning of any discussion relating to a decision which will substantially influence the probability of a contract or project of interest being funded through Columbia Basin Trust.

**(2) Absent themselves from the discussion:**

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

Further, after declaring a conflict of interest and leaving the discussion, no further information pertaining to that item shall be distributed to the member.

**(3) Failure to Comply:**

In the event that an Advisory Panel member knowingly fails to declare a conflict of interest, the member will be dismissed from the Advisory Panel immediately, and CBT will consider termination of the administrative contract or 'project of interest.'

**Members Conduct Regarding Confidentiality:**

Members should also avoid the perception that their access to privileged information does not give the organizations of which they are part an unfair business or competitive advantage over other organizations.

Members can avoid this perception of unfair advantage by:

- Ensuring that the information Advisory Panel members are privy to by being part of the Panel is kept confidential until it is released to the public.