

**CANADA-BRITISH COLUMBIA
CLEAN WATER AND WASTEWATER FUND
OVERSIGHT COMMITTEE**

MANDATE AND TERMS OF REFERENCE

BACKGROUND

The Canada-British Columbia *Clean Water and Wastewater Fund Bilateral Agreement* (the Agreement) signed on 30/09/2016, requires the parties to establish one or more Oversight Committee(s) (Committee) within 60 business days of the signing of the Agreement (Section 7 Appendix A).

COMMITTEE MEMBERSHIP

The Committee will be co-chaired by two members, one of whom is to be appointed by Canada, and designated as Federal Co-Chair, and one of whom is to be appointed by British Columbia, and designated as Provincial Co-Chair. Replacement members from either Canada or British Columbia may, from time to time, be appointed.

In addition, two representatives nominated by the Union of British Columbia Municipalities will attend the Oversight Committee as observers.

In addition to the Co-Chairs, the Committee shall consist of:

- One additional representative from the Provincial government
- One additional representative from the Federal government, and
- Any other individuals that may be invited as required.

Please see Appendix B for a list of proposed committee members.

Canada and British Columbia agree to keep each other informed in writing of new appointments.

The Committee will exist for the duration of the Bilateral Agreement. Alternates may be appointed to the Committee and/or designates may attend Committee meetings, as required, upon sufficient notice being given to the Co-Chairs. In the case of the Federal Co-Chair's absence or inability to act, the Federal Co-Chair shall designate an alternate(s) from Infrastructure Canada to act as their representative. In the case of the province, the Provincial Co-Chair shall designate an alternate(s) from the Ministry of Community, Sport and Cultural Development as the Provincial representative.

MANDATE

The Committee(s) will monitor the Agreement and, in conformity with Section 7 of the Agreement, will:

- a) monitor compliance of the implementation of this Agreement with the terms and conditions of this Agreement;

- b) act as a forum to resolve potential issues and address concerns;
- c) review and, as necessary, recommend to the Parties amendments to the Agreement;
- d) monitor the implementation of the Schedule C (Communications Protocol);
- e) approve and ensure audit plans are carried out as per the Agreement; and
- f) attend to any other function required by this Agreement, including monitoring project risk and mitigation measures, or as mutually directed by the Parties.

The Co-Chairs may choose to establish one or more management sub-committees, as necessary, to support the Committee in carrying out its duties. Any working group or sub-committee that is established by the Co-Chairs will report on the working group or sub-committee's plans and achievements on a frequency as defined by the Co-Chairs and/or as determined by the Agreement.

The Committee(s) will operate until all activities under the Agreement, including audits, reporting, and final adjustments are complete.

PROCEDURES

The procedures for conducting Committee business will include:

- Meetings will be held at minimum twice per year, in person or by teleconference at such places and on such dates as agreed upon by the Co-Chairs.
 - o The Committee may conduct virtual meetings whereby motions are circulated by e-mail and decisions made through e-mail;
 - o An e-mail approving the motion from each member of the Committee shall be sufficient verification of any such decision, recommendation or approval by the Committee.
- Agendas and meeting packages will be distributed to all members in advance of the meeting in sufficient time for review.
- Records of discussion will be taken for all meetings and will be sent to all members for review, ideally within two weeks following the meeting.
- The Records of discussion will be approved at the beginning of the following meeting.
- Members will work to achieve consensus for all decisions taken by the Committee.
 - o Consensus is defined as the absence of substantial objection by one of the Parties. The decisions, approvals and recommendations of the Committee will be made or given upon agreement by the Co-Chairs within their respective delegated authorities;
 - o If consensus cannot be achieved, unresolved issues will be forwarded to a senior official from each party for further discussion and decision.
- The Committee will be responsible for all decisions made in the administration of the Agreement within its authorities.
- Quorum to hold a meeting will be the Federal and Provincial Co-Chairs or their alternate as designated in advance of the meeting.

Specifically, the Co-Chairs will be responsible to:

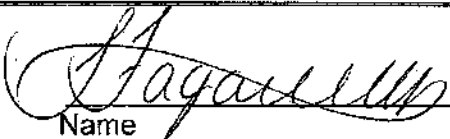
- Call and chair all meetings and facilitate the orderly conduct of the meetings;
- Establish the meeting agenda and ensure Committee members receive the agenda and meeting package in advance of meetings;
- Establish and appoint members to sub-committees, as necessary;
- Ensure the tasks of the sub-committees are carried out and completed in a timely manner; and
- Ensure the terms of reference of the Committee are respected at meetings.

Committee Members will be responsible to:

- Attend all meetings as called by the Co-Chairs or arrange for a designate to attend in their place, if possible;
- Advise the Co-Chairs either prior to or at the meeting if they are unable to attend all or part of the meeting;
- Participate in discussions and be prepared for Committee-level decisions to be taken at meetings;
- Ensure their respective governments / organizations are advised of key matters before the Committee meets and seek appropriate authority for decisions, if required; and
- Undertake the tasks / duties assigned to them in a timely and diligent manner.

The Committee may add, delete or amend any procedures for the operation of the Committee or the making of decisions with the agreement of Committee members. Any approved changes will constitute an amendment to these Terms of Reference.

APPROVAL OF TERMS OF REFERENCE

Name	Date		Date
Federal Co-Chair		Provincial Co-Chair	
Infrastructure Canada		Ministry of Community, Sport and Cultural Development	

Appendix A

Section 7 of the CANADA-BRITISH COLUMBIA CLEAN WATER AND WASTEWATER FUND BILATERAL AGREEMENT

7. OVERSIGHT COMMITTEE

Within sixty (60) business days of the signing of this Agreement, the Parties will establish one or more Oversight Committee(s) co-chaired by representatives of Canada and British Columbia or use an already existing Committee established between the Parties to monitor this Agreement. The Oversight Committee(s) will:

- a) monitor compliance of the implementation of this Agreement with the terms and conditions of this Agreement;
- b) act as a forum to resolve potential issues and address concerns;
- c) review and, as necessary, recommend to the Parties amendments to the Agreement;
- d) monitor the implementation of Schedule C (Communications Protocol);
- e) approve and ensure audit plans are carried out as per this Agreement; and
- f) attend to any other function required by this Agreement, including monitoring project risk and mitigation measures, or as mutually directed by the Parties.

Appendix B

DRAFT AGENDA CANADA- BRITISH COLUMBIA OVERSIGHT COMMITTEE FOR THE CLEAN WATER AND WASTEWATER FUND (CWWF)

[Location / Date / Time]

[Teleconference number and pass code]

Chair: Federal Co-Chair
Provincial Co-Chair

Attendance:

ITEM	DISCUSSION	LEAD
1	Approval of Agenda Choose Note Taker	Chair
2	First meeting: Approval of the Terms of Reference Subsequent meetings: Approval of Record of Discussion from previous meeting	Chair
3	Program Update • CWWF Status/ Issues / High-risk projects	Chair
4	Financial Update • Claims Status • Forecasts and Reprofile Requests	Co-chairs
STANDING ITEMS / UPDATES		
5	Communications •	Co-chairs
6	Audit / Audit Plan •	Co-chairs
7	Environmental Assessment and Duty to Consult •	Co-chairs
8	Reporting • Project Progress Report • Outcomes Progress Report	Co-chairs
9	Sub-committees update (as required)	Co-chairs
10	Date and Time of Next Meeting	All

Appendix C

OVERSIGHT COMMITTEE MEMBERSHIP FOR THE CANADA-BRITISH COLUMBIA CLEAN WATER AND WASTEWATER FUND As of January 2017

REPRESENTATIVE	ORGANIZATION	ROLE
Maxine Bilodeau	INFC	Federal Co-Chair
Lisa Rene de Cotret	INFC	Federal Member
Tara Faganello	CSCD	Provincial Co-chair
Patrick Livolsi	MOTI	Provincial Member
Gary MacIsaac	UBCM	Observer
Murry Krause	UBCM	Observer

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Withheld pursuant to/removed as

s.12;s.16;s.13;s.17

Minister of Infrastructure
and Communities



Ministre de l'Infrastructure
et des Collectivités

Ottawa, Canada K1P 0B6

MAR 08 2017

The Honourable Todd Stone, M.L.A.
Minister of Transportation and Infrastructure
Government of British Columbia
Room 305, Parliament Buildings
Victoria, British Columbia V8V 1X4

MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT MINISTER'S OFFICE	
RECEIVED	
MAR 14 2017	
ROUTE TO:	205719
CC:	
DRAFT REPLY <input type="checkbox"/>	DM <input type="checkbox"/> FV/FILE <input checked="" type="checkbox"/>
REPLY DIRECT <input type="checkbox"/>	FNA <input type="checkbox"/>

The Honourable Peter Fassbender, M.L.A.
Minister of Community, Sport and Cultural Development
Government of British Columbia
Room 310, Parliament Buildings
Victoria, British Columbia V8V 1X4

Dear Ministers:

I am pleased to write to you regarding the approval of Summary Report #2 under the Canada-British Columbia Clean Water and Wastewater Fund Bilateral Agreement.

Please find enclosed a signed copy of Summary Report #2 providing federal approval for the 144 projects identified by British Columbia.

The program terms and conditions allow some flexibility for incurring eligible costs after the March 31, 2018 program deadline based on a demonstrated need. For the 6 projects with end dates past March 31, 2018, the federal government will only reimburse eligible costs incurred between March 31, 2018 and March 31, 2019 to a maximum of 25 percent (\$56,266,930.25) of the provincial allocation under the Clean Water and Wastewater Fund.

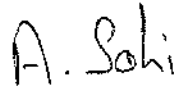
Please note that approval of these projects is conditional upon Canada being satisfied that the responsibility of the federal authority and/or responsible authority under the *Canadian Environmental Assessment Act, 2012* and other applicable agreements between Canada and Aboriginal groups are met and continue to be met. Canada's funding for a project is also conditional upon Canada being satisfied that its obligations with respect to the legal duty to consult and accommodate Aboriginal groups, if applicable, are met.

Canada

...2

I would like to take this opportunity to thank you for your collaboration and for your commitment to the successful delivery of the Clean Water and Wastewater Fund in British Columbia. I look forward to working with you as we continue to implement this program for the benefit of all Canadians.

Yours sincerely,

A handwritten signature in black ink that reads "A. Sohi". The signature is written in a cursive, slightly slanted style.

Amarjeet Sohi, P.C., M.P.

Enclosure

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Withheld pursuant to/removed as

s.13;s.17