

## **DRAFT TERMS OF REFERENCE LNG ESI Governance Working Group**

### **Introduction:**

The inaugural meeting of the LNG ESI Governance Working Group (GWG) was held on May 13 in Vancouver.

The purpose of the meeting was to discuss ESI structure and governance and its relationship to ESI development, including:

- GWG mandate, principles, roles and responsibilities;
- ESI decision making, funding and performance measurement; and,
- Linkages to the work of Regional Stewardship Forums (RSFs) and demonstration projects.

Based on the feedback from that meeting, the following draft Terms of Reference (TOR) have been developed for the GWG. This draft has also been informed by TOR being developed for the proposed Regional Forums in order to ensure that roles and responsibilities are clearly delineated between the the two groups.

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### **1) ESI Scope**

- a) The scope of ESI is to address themes raised through the collaborative development process to date, which include:
  - (1) Ecosystem monitoring and assessment – including cumulative effects assessment, modelling and monitoring;
  - (2) Ecosystem restoration and enhancement;
  - (3) Ecosystem research and knowledge exchange; and,
  - (4) Stewardship education and training.

### **2) Mandate for the Governance Working Group**

The GWG's mandate is to:

- a) Recommend a permanent ESI governance structure including the creation of a body to oversee the management and distribution of ESI funds over the long-term;
- b) Establish processes and procedures that will ensure consistency across regions;
- c) Develop broad principles on ESI project eligibility;
- d) Provide direction for the use and distribution of the \$30 million in ESI project funding between the regions; and,
- e) Ensure lines of communication amongst Regional Stewardship Forums, First Nations, industry organizations and government partners.

### **3) Role of the Governance Working Group**

- a) Establish recommendations on the ESI governance structure that:
  - i) Clearly identifies roles and responsibilities in the management of the ESI; and,
  - ii) Identifies a funding structure to manage ESI funds.
- b) Provide direction for the use and distribution of ESI project funding including:

- i) Proposing the allocation of the \$30 million between the ESI regions for the fiscal 2015-16 year and for the long term;
  - ii) Developing funding criteria, policies and procedures and reporting requirements; and,
  - iii) Developing recommendations for a body to oversee the management and distribution of ESI funds over the long-term.
- c) Create and participate in working groups on topics as required to meet the mandate of the GWG.
  - d) Ensure that information on the ESI is communicated to RSFs, First Nations, industry organizations and government partners including:
    - i) Information on ESI participation;
    - ii) Updates on ESI progress and activities; and,
    - iii) Results of ESI projects.
  - e) When required, act as dispute resolution mechanism to facilitate decisions at the Regional Forum level.

#### **4) Membership of the Governance Working Group**

- a) Membership of the Governance Working Group can include the following participants from all ESI Regions:
  - i) First Nations leadership, senior staff or advisors;
  - ii) Provincial representatives;
  - iii) Natural gas project proponents (i.e. upstream, mid-stream, and downstream as appropriate for the ESI Region) representatives;
  - iv) Federal representatives.
- b) The Members of the GWG will provide a letter from their respective organization, agency, or First Nation outlining their authority to participate at the GWG.

#### **5) Accountability of the Governance Working Group**

Members on the GWG agree to:

- a) Represent their respective interests at the GWG in a respectful, meaningful and collaborative manner;
- b) Periodically meet as required, in person, phone or online;
- c) Report back to their respective leaders and principles, to ensure transparency and accountability and secure required support for the decisions of the GWG;
- d) Act as the champion for ESI initiatives within their organization and the broader community;
- e) Be committed to contributing the required financial or other resources to making the ESI succeed.

#### **6) Funding for First Nation Members**

- a) First Nations Members of the GWG's travel and accommodation costs related to activities of the GWG shall be reimbursed by the Ministry of Aboriginal Relations and Reconciliation (MARR), as per reimbursement guidelines provided by MARR. For greater certainty, Members are not considered to be employees of the BC government;

#### **7) Withdrawal**

- b) Members can withdrawal their participation at any time. One month written notice to the GWG is appreciated including a rationale for withdrawal, and an alternate appointment if required.

#### **8) Jurisdiction**

- c) For greater certainty, nothing in these terms of reference will be construed so as to limit or otherwise affect any authority or jurisdiction of any Member and no authorities or responsibilities will be deemed to have transferred through these terms of reference.

#### **9) Process Matters**

- d) The management of meetings for the GWG will be discussed amongst the parties and specific protocols will be developed as required;
- e) Meeting minutes will be the responsibility of each respective party, unless otherwise agreed;
- f) Digital documents related to the work of the GWGs will be made available to the Members via an appropriate tool (i.e. ftp site, Dropbox, etc.), as required;
- g) The ESI Governance Working Group will provide periodic update materials (i.e. reports, newsletters, etc.), as appropriate, to inform the Members and others about the progress of the ESI efforts, including updates on demonstration projects.
- h) The GWG may choose to create a document such as a Memorandum of Understanding between the respective partnership organizations to supplement these Terms of Reference.