

# Guidance to the Study Board on Communication and Public Participation

## Preamble

The International Joint Commission (Commission) is committed to the principle that the public should have a say in decisions that affect it. Therefore, the Commission promotes policies and programs aimed at enabling all community members to influence Commission decisions that may have an impact on them<sup>1</sup>. This Guidance is hereby issued to the Study Board in order to facilitate public participation in the International Upper Great Lakes Study (Study), the mandate of which is set out in the Commission's Directive to the Study Board, dated December 2005.

## 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.<sup>2</sup> The public includes, but is not limited to, the following sectors:

- Federal, provincial, state, regional and local governments.
- Tribes and First Nations.
- Environment.
- Commercial navigation and recreational boating.
- Hydroelectric power generation.
- Water supply and stormwater/sewage treatment.
- Riparians.
- General Public.

## 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 regulation, 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; and
- contributing local expertise and information.

## Proposed Activities

- Recommend for appointment two Co-senior Communications Advisers (one Canadian and one U.S.) to develop a comprehensive, multi-year communications plan as specified in the Directive.
- Through the Co-senior Communications Advisers, 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; responding to media inquiries and correspondence from the public; and establishing and promoting a Study information portal on the Commission's web site.
- 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 consultation meetings, as appropriate.
- Engage representatives of the public in the Study on an ongoing basis through the Public Interest Advisory Group (PIAG), established by the Commission in consultation with the Study Board, to advise on the Study Board's public participation activities set out in the PIAG Terms of Reference.

The Study Board is responsible for developing and implementing the public participation program with input from PIAG and the Co-senior Communications Advisers. The Co-senior Communications Advisors will liaise with the Commission's Public Information Advisers in Ottawa, Washington and Windsor for advice, support and coordination, as appropriate. The Co-senior Communication Advisors will also liaise with the PIAG 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 help identify the:

- Principal issues, questions and Study objectives.
- Available knowledge in the form of historical data, anecdotal information, traditional wisdom.
- Existing or future plans, activities and initiatives that could potentially be affected by levels and flows.

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 problems related to fluctuating water levels and of the consequences of proposed solutions.
- 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, some meetings of the Study Board and the PIAG 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.

During the Study, the Commission may conduct its own public participation activities related to:

- The review of the Orders of Approval for outflows from Lake Superior, including regulation strategies and the operation of structures controlling the outflow.
- The results of the examination of physical processes, possible ongoing St. Clair River changes in the St. Clair River and potential remedial action, and their impacts on the levels of Lakes Michigan and Huron.

Reports and other documentation intended for the public will be made available in English and French.

### **Coordination**

Public participation activities under the Study should be coordinated with those of the International Lake Superior Board of Control, the International Niagara River Board of Control, the Remedial Action Plans and the Lakewide Management Plans in order to avoid confusion and better inform the public.

Information and findings generated by the Study should be made available to the International Lake Superior Board of Control and the International Niagara River Board of Control as they become available, but the mandate of these Boards will remain unchanged unless amended by the Commission.

**Approved February 7, 2007.**

1. Adapted from (a) the "Core Values" of the International Association for Public Participation and (b) the "Principles of Good Practice" of the Community Development Society.
2. Adapted from the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention).