

APPENDIX 1
DRCC Framework & Terms of Reference
2010

**Taken directly from the Detroit River Remedial Action Plan Stage 2
Report. Download the full report [here](#).**

DETROIT RIVER CANADIAN CLEANUP

Management Framework and Terms of Reference

2010

Every five years, a review should be undertaken of this entire Management Framework and Terms of Reference to ensure that it is still meeting the needs of the cleanup effort in the AOC. In order to avoid a focus on process over action, substantial amendments to the Management Framework and Terms of Reference as a whole should generally be proposed at the five year review periods.

MANDATE:

To cleanup, enhance, restore and sustain the Detroit River ecosystem in order to remove it from the list of Great Lakes' Areas of Concern.

GUIDING AGREEMENTS/DOCUMENTS:

Canada-United States Great Lakes Water Quality Agreement

The Canada-United States Great Lakes Water Quality Agreement (GLWQA) was first signed in 1972 to commit both countries to address the pollution of their shared Great Lakes.

The GLWQA was revised in 1978 to address persistent toxic substances. It was revisited in the 1980s and amended by Protocol in 1987. One of the amendments in the Protocol called for the development and implementation of Remedial Action Plans (RAPs) to restore the ecosystem health in each of the 43 Areas of Concern (AOC). Since the GLWQA was signed three AOCs in Canada and one in the U.S. have been delisted, and two AOCs (one in Canada and one in the U.S.) have been listed as 'Areas in Recovery'.

Recognizing that each AOC suffers from different environmental problems, the RAPs are locally-driven and defined. There are three stages to the RAP program: Stage 1 is to identify problems, Stage 2 is to define remedial actions, and the Stage 3 is to identify the restoration of beneficial uses.

Beneficial uses that focus on human and aquatic ecosystem health guide restoration efforts. The GLWQA defines 14 beneficial uses that must be restored before an AOC can be delisted (i.e., removed from the list of Great Lakes AOCs). When a beneficial use is degraded, it is referred to as a beneficial use impairment (BUI).

Canada-Ontario Agreement: Respecting the Great Lakes Basin Ecosystem

The Canadian federal government and the Province of Ontario further demonstrated their commitment to the GLWQA to restore, conserve and protect the Great Lakes Basin ecosystem by signing the Canada-Ontario Agreement (COA): Respecting the Great Lakes Basin Ecosystem. First signed in 1971, the COA was most recently renewed in 2007.

The management of the COA is entrusted to a Management Committee that is co-chaired by Environment Canada and the Ontario Ministry of the Environment.

The COA focuses on implementing four annexes that related to addressing priority environmental issues in the Great Lakes Basin: Areas of Concern, Harmful Pollutants, Lake and Basin Sustainability, and Coordination of Monitoring, Research and Information. Each Annex specifies goals, results, and commitments.

The Annex on Areas of Concern addresses several initiatives to support the restoration and protection of environmental quality and beneficial uses in AOCs, including reducing municipal wastewater, reducing

rural pollution, developing contaminated sediment management strategies, restoring and protecting fish and wildlife habitat, fostering community participation, increasing knowledge through research and monitoring, and communicating progress.

Four Agency Letter of Commitment

There are three bi-national AOCs: St. Mary's River, St. Clair River, and the Detroit River.

In 1998, a Four Agency Letter of Commitment was signed by Environment Canada, United States Environmental Protection Agency, Ontario Ministry of the Environment, and Michigan Department of Environmental Quality to pledge their commitment to restore the shared AOCs. The Letter identifies roles and responsibilities of the Four Agencies for the three shared AOCs.

The Compendium of Position Papers (revised 2009) was developed to explain how the commitments of the Letter and the GLWQA will be applied to the AOCs.

The Detroit River RAP

Work on the Detroit River began as early as 1985 but a Stage 1 RAP Report was not produced until 1991. Soon after, work on a Stage 2 RAP was started but the report was never accepted by all RAP participants and was instead released as a RAP Update report in 1996. Since then, implementation of the Detroit River RAP has functioned separately on Canadian and American sides of the Detroit River.

In 1998, the Detroit River Canadian Cleanup (DRCC; formerly Detroit River Canadian Cleanup Committee) was formed to implement the Canadian side of the Detroit River RAP. Between 1998 and 2008, over \$200 million was spent on projects aimed at cleaning up, enhancing and restoring the Canadian side of the Detroit River.

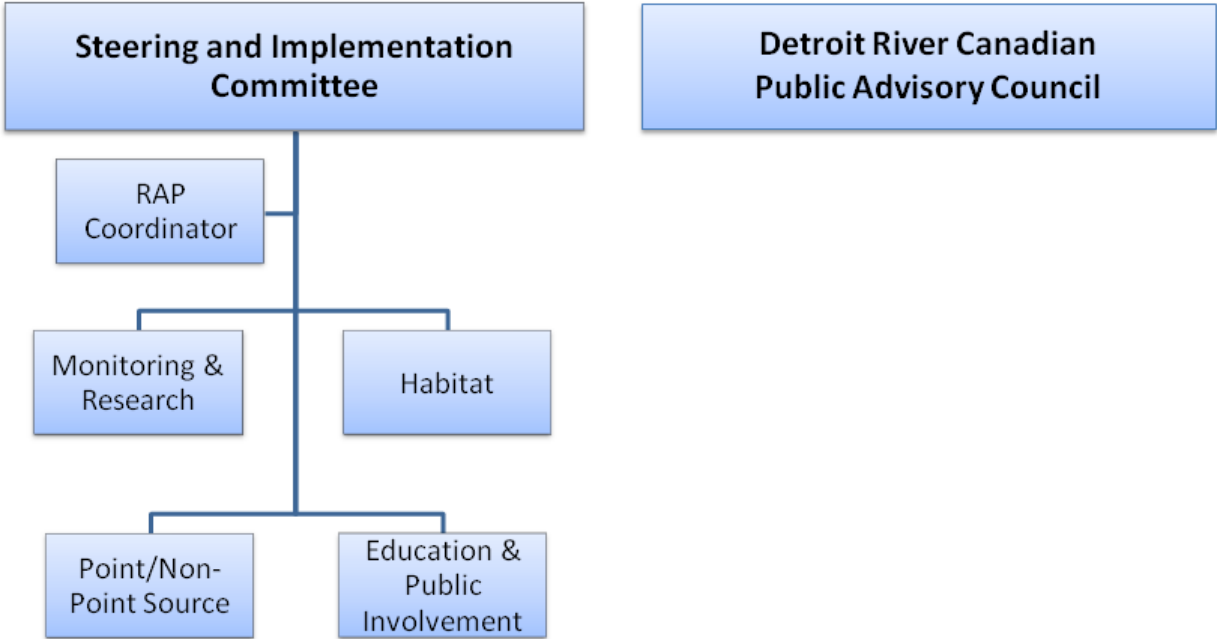
In 2004, the DRCC was re-structured to facilitate implementation and to reinvigorate the remediation process in the Detroit River Canadian AOC. The DRCC is currently (2009-2010) comprised of two main groups: an Implementation/Outreach Group and a Public Advisory Council. The Implementation and Outreach Group (IOG) consists of three Committees: a Steering Committee, an Implementation Committee, and an Outreach Committee. The public advisory role is served by the Detroit River Canadian Public Advisory Council (DRPAC). A RAP Coordinator was hired in 2004 to support the entire DRCC structure and act as a focal point for the implementation of the RAP.

The 2004 *Framework and Constitution* noted that a review of the structure should be completed every 5 years. Therefore, in March 2009 a survey of DRCC members was conducted. Overall, the results of the survey were positive but identified some improvements that could be made to successfully implement the RAP. Comments were related to the structure of the initiative, communication within/among committees, and public engagement. On July 16, 2009, a motion was passed at a Steering Committee meeting requesting a proposed structure to better focus RAP implementation efforts based on the Draft Detroit River Canadian Stage 2 RAP Report. On the evening of April 14, 2010 the DRCC held a General Meeting to discuss the proposed changes and revisions to the DRCC's structure and Terms of Reference. Attendance was minimal but several issues (voting, industry involvement, participation on committees/work groups, role of the public and the DRPAC, how to proceed with revisions) were discussed. Overall, those in attendance were supportive of the revised structure and Terms of Reference with some minor revisions (clarifications) which have been incorporated into this document.

PROPOSED DETROIT RIVER CANADIAN CLEANUP STRUCTURE

Details on committee and council structures are given in the following sections.

Detroit River Canadian Cleanup



STEERING AND IMPLEMENTATION COMMITTEE TERMS OF REFERENCE

Overarching Principles:

- Accountability
- Approval and direction for allocation of resources (oversight)
- Direction/vision of overall RAP process
- Implementation
- Coordination
- Transparency
- Information and reporting on RAP activities

Roles/responsibilities:

- To provide oversight and to ensure that remedial actions/projects are completed in a timely manner by the accountable organization(s).
- To review and decide on upcoming implementation priorities (based on an annual work plan created by the Work Groups and submitted by the RAP Coordinator).
- To coordinate commitments for the implementation of remedial actions.
- To locate and commit to funding for remedial actions and ensure that staff are in place for the implementation of those projects.
- To provide direction for the Work Groups (as needed).
- To ensure linkage to the Four Agency Framework.
- To report on the progress in the AOC in order to enhance public awareness of the Detroit River RAP through an annual report and by hosting an Annual General Meeting.

Meetings

- Any person is invited to attend Steering and Implementation Committee meetings to observe and express any opinion they may have; however, decision-making is limited to member organizations.
- Meeting dates, locations and records will continue to be posted on the DRCC's website.
- Meetings are three times per year (more if deemed necessary):
 - May/June
 - Annual General Meeting to receive updates on the last year's projects
 - Communicate progress and next steps (to be taken into consideration for the following Oct/Nov meeting)
 - Release Annual Report (from previous fiscal year)
 - Opportunity to network/meet-and-greet with other DRCC members (potential tour of Detroit River project sites).
 - October/November
 - Review and discuss annual work plan for proposed projects for the following fiscal year (based on a five-year Work Plan).
 - Discuss and decide on priority projects for upcoming fiscal year.
 - Review funding allocations (deficit/surplus) and discuss resource allocation (staff/funding) for upcoming projects.
 - Provide feedback on work plans to the Work Groups.
 - Obtain project progress reports.

- January
 - Obtain the revised annual work plan from Work Groups.
 - Approve the annual work plan for proposed projects for the upcoming fiscal year
 - Confirm commitments for funding and other resources (staff, etc.).
 - Obtain project progress reports.

Details on Organization Representation:

- Member organizations should be those with a mandated responsibility to the RAP process through the GLWQA, COA, Four Agency Framework or official plans.
- Organizations should be able to commit resources (staff and funding) to project implementation.
- Individual representatives should be able to speak on behalf of their organization.
- Key role to play in the development, implementation, and monitoring of projects intended to restore beneficial uses in the AOC.

Member Organizations

- Environment Canada (Co-Chair)
- Ontario Ministry of the Environment (Co-Chair)
- Ontario Ministry of Natural Resources
- City of Windsor
- Town of LaSalle
- Town of Amherstburg
- Essex Region Conservation Authority
- University of Windsor (Rep. from Great Lakes Institute for Environmental Research)
- Detroit River Canadian Public Advisory Council Chair
- Windsor Port Authority
- Industry representative (2)
- *Resource staff (as needed; non-voting)*
- Others as required

Decision-making:

- Decisions are made by consensus; however, voting may be required (at the Co-chairs discretion) when consensus cannot be reached.
- Decisions are to be recorded clearly in meeting records.
- If voting is necessary, only one representative is appointed to vote on behalf of the organization
- Each organization may send more than one representative to meetings to speak on the organization's behalf but the additional personnel act only as resource individuals.
- Industry representatives will choose one voting member to represent their voice for the DRCC.
- If the voting representative is unable to attend a meeting, either the organization or the representative may appoint another individual to take their place.
- Upon retirement or change of a voting representative, the member organization shall appoint a successor voting representative and advise the RAP Coordinator of the change.

Work Groups

Work Groups can be struck on an as-needed-basis to work on specific tasks that represent the recommendations in the Stage 2 RAP Report (i.e., Habitat, Monitoring and Research, Point and Non-Point Source Pollution, etc.). Membership within a particular Work Group should relate to that individual's or organization's expertise. In doing so, there will be more focus on achieving recommendations to restore beneficial uses. Relevant member organizations should be added as needed.

RAP Coordinator Work Group (Supervisory Group)

Meetings will be annually to evaluate the Coordinator's position and to identify the upcoming priorities for the position. Meetings can also be at the call of the RAP Coordinator, as needed.

Membership:

Environment Canada
Ontario Ministry of the Environment
Essex Region Conservation Authority
Detroit River Canadian RAP Coordinator
Public Advisory Council Chair

Role of the Work Group:

- To acts as a contact point between the RAP Coordinator and the Steering and Implementation Committee.
- To provide guidance for minor issues related to the Coordinator's everyday duties and decide when items should be brought to the Steering and Implementation Committee for discussion.
- To work with the Coordinator to identify his/her priority actions for the upcoming year (to be brought to the Steering and Implementation Committee with the annual work plan for approval). The work group would meet annually to evaluate the Coordinator's position and develop proposed priority actions for the upcoming year to be brought forward to the Steering and Implementation Committee with the annual work plan.

Role of the RAP Coordinator:

- To assist with coordinating and implementing activities and initiatives to achieve remediation goals listed in the Stage 2 RAP Report.
- To work with the Steering and Implementation Committee and its work groups to develop and deliver work plans and related documents addressing priority actions.
- To network and act as a RAP liaison between DRCC member organizations, work groups, in the community, with the US RAP Group, the public, media, and others.
- To engage local groups in the RAP process through events, activities, reports, factsheets, etc.
- To provide secretariat services and meeting support for the Steering and Implementation Committee (including work groups) as well as the Public Advisory Council.
- To provide technical support for the DRCC's website and Detroit River Delisting and Information System.
- Other activities as required.

Habitat Work Group

Membership:

Fisheries and Oceans Canada
Ducks Unlimited Canada
Environment Canada
Essex County Stewardship Network
Essex Region Conservation Authority
Ontario Ministry of Natural Resources
University of Windsor

Role of the Work Group:

- To lead the implementation of habitat-related projects in the Detroit River AOC.
- To provide science-based analysis and advice regarding habitat activities in the Detroit River AOC.
- To assist the Monitoring and Research Work Group in the assessment of the Loss of Fish and Wildlife Habitat BUI, every three years.

Monitoring and Research Work Group

Membership:

City of Windsor
Environment Canada
Essex Region Conservation Authority
Great Lakes Institute for Environmental Research
Ontario Ministry of Natural Resources
Ontario Ministry of the Environment
United States Environmental Protection Agency

Role of the Work Group:

- To lead the implementation of monitoring and research projects in the Detroit River AOC.
 - To provide science-based analysis and advice regarding monitoring, research, and assessment activities in the Detroit River AOC.
 - To produce an assessment of Detroit River BUIs every three years.
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Education and Public Involvement Work Group

Meetings should occur in the evenings to accommodate members that cannot attend during the day.

Membership:

Canadian Auto Workers
Citizens Environment Alliance
City of Windsor
Environment Canada
Ontario Ministry of the Environment
Essex Region Conservation Authority
Essex County Field Naturalists Club
Friends of Canard River
Friends of Turkey Creek
Little River Committee (ECFNC)
Public Advisory Council

Role of the Work Group:

- To lead the implementation of education and public involvement recommendations of the RAP.
- To work closely with the Public Advisory Council to assess the public's perception of the Detroit River.
- To develop materials directly related to implemented projects.

Loadings (Point/Non-point Source Pollution) Work Group

Membership:

City of Windsor (WWTP)
Essex Region Conservation Authority
Great Lakes Institute for Environmental Research
Ministry of the Environment (Windsor)
Ontario Ministry of Agriculture, Food and Rural Affairs
Town of Amherstburg (WWTP)
Town of LaSalle (WWTP)
Industries (direct dischargers)

Role of the Work Group:

- To lead the implementation of projects that relate to the reduction of point and non-point source pollution in the Detroit River AOC.

DETROIT RIVER CANADIAN PUBLIC ADVISORY COUNCIL TERMS OF REFERENCE

The Detroit River Canadian Public Advisory Council (PAC) is comprised of individuals with an interest in the health of the Detroit River. Although individuals representing agencies with responsibilities for RAP implementation are encouraged to attend PAC meetings to receive feedback from the public, they should do so only as resource individuals.

Role/Responsibilities of the Council:

- Provide a route through which the public can provide input on the cleanup of the Detroit River.
- Assess the public's perception of the Detroit River's environmental status.
- Promote community action through engaging events and projects as identified in the Stage 2 RAP Report.
- Produce reports critically evaluating the progress of RAP implementation.
- Share reports with the Steering and Implementation Committee, local politicians, as well as to the public-at-large.
- Attend the DRCC Annual General Meeting and Steering and Implementation Committee meetings to speak on behalf of the public for the Detroit River RAP and to provide updates on PAC activities and needs.

Role of the Chair(s) is to:

- Provide overall leadership to the Council.
- Call, set the agenda for, and oversee the conduct of meetings,
- Attend RAP Implementation Team meetings to ensure that implementation activities are progressing in a positive direction.
- Sign letters and speak on behalf of the Council.

Elections:

- A Chair and Vice-Chair will be elected or re-elected annually by members and shall hold office until replaced in a subsequent election.
- Only one member of each organization is entitled to stand for election and vote on behalf of that organization.
- To be elected, a candidate must receive a majority of votes cast. Should a majority not be achieved after the first round of voting, the candidate with the lowest number of votes will be dropped and further votes will be held until a majority is reached.

Voting:

- Only one representative is appointed to vote on behalf of the organization
- Each organization may send more than one representative to meetings to speak on the organization's behalf but the additional personnel act only as resource individuals.
- If the voting representative is unable to attend a meeting, either the organization or the representative may appoint another individual to take their place.
- Upon retirement or change of a voting representative, the member organization shall appoint a successor voting representative and advise the RAP Coordinator of the change.

Meetings:

- Chair and vice-chair elected by members
- Meetings should take place regularly, at the call of the Chair
- Scheduled in the evenings to maximize public participation opportunities.
- Open to the public
- The meeting organization, records, and distribution thereof will be the responsibility of the RAP Coordinator.
- If desired, a joint meeting may be held with the Education and Public Involvement Work Group. If such a meeting is held, it will be chaired jointly by both Chairs.

Member Organizations

Membership in the Detroit River Canadian PAC is inclusive and open to any individual interested in the Detroit River. Individuals representing agencies involved in RAP Implementation are encouraged to attend meetings but should participate only as resource individuals.

- Canadian Auto Workers
- Citizens-at-large
- Citizens Environment Alliance
- Detroit River U.S. PAC Representative
- Essex County Field Naturalists Club
- Windsor and District Labour Council
- Windsor Essex County Environmental Committee
- Essex County Federation of Agriculture (*no active member*)
- Essex County Woodlot Owners Association (*no active member*)
- First Nations groups (*no active member*)
- Friends of Canard River (*no active member*)
- Friends of Turkey Creek (*no active member*)
- Great Lakes Institute for Environmental Research (*no active member*)
- Windsor-Essex County Canoe Club (*no active member*)
- Windsor and District Chamber of Commerce (*no active member*)