

Regional Aquatics Monitoring Program for the Athabasca Oil Sands

Terms of Reference as of March 21, 2006

1.0 DEFINITIONS AND INTERPRETATIONS

- 1.1. The following definitions apply to the terms of reference for the Regional Aquatics Monitoring Program for the Athabasca Oil Sands;
- b. **“RAMP”** -means the Regional Aquatics Monitoring Program for the Athabasca Oil Sands within the Regional Municipality of Wood Buffalo.
-is science-based, primarily industry funded, consultant administered, and Member directed
 - c. **“member”** means any organization that has applied for and met the requirements for membership of RAMP as set out in these terms of reference.
 - d. A **“funding member”** is a member of the Steering Committee that provides either direct or in-kind funding (equipment or personnel) to carry out RAMP activities.
 - e. A **“non-funding member”** is any member of the Steering Committee that does not provide direct or in-kind funding for RAMP activities but offers expertise and/or knowledge that furthers the understanding required to carry out RAMP activities
 - f. **“Consensus”** means that all group members accept and will abide by the decision, i.e. “can live with it”.

2.0 MANDATE

- 2.1. The Mandate of the Regional Aquatics Monitoring Program (RAMP) is to determine, evaluate and communicate the state of the aquatic environment and any changes that may result from cumulative resource development within the Regional Municipality of Wood Buffalo.

3.0 OBJECTIVES

- 3.1. The Objectives of RAMP are:
- a. To monitor aquatic environment in the oil sands area to detect and assess cumulative effects and regional trends;
 - b. To collect baseline data to characterize variability in the oil sands area;
 - c. To collect and compare data against which predictions contained in environmental impact assessments (EIA's) can be assessed;
 - d. To collect data that satisfies the monitoring required by regulatory approvals of oil sand developments;

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- e. To collect data that satisfies the monitoring requirements of company-specific community agreements with associated funding;
- f. To recognize and incorporate traditional knowledge into monitoring and assessment activities;
- g. To communicate monitoring and assessment activities and results to RAMP members, communities in the Regional Municipality of Wood Buffalo, regulatory agencies and other interested parties;
- h. To continuously review and adjust the program to incorporate monitoring results, technological advances, community concerns and new or changed approval conditions; and
- i. To conduct a periodic peer review of the program's objectives against its results, and to recommend adjustments necessary for the program's success.

4.0 TERMS OF REFERENCE

- 4.1. The Terms of Reference of RAMP shall be reviewed at least every two years with the first review in October, 1999.
- 4.2. The chairperson shall initiate this review.
- 4.3. Recommendations for changes will be prepared by the chairs and vice-chairs of the committees and subcommittees and submitted to the steering committee for ratification.

5.0 ORGANIZATION

- 5.1. RAMP is composed of the following committees and subcommittees:
 - The Steering Committee (SC), and
 - The Technical Program Committee (RAMP TECH).
 - Finance Subcommittee, and
 - Communications Subcommittee
- 5.2. The Steering Committee is the decision making body for RAMP. Its functions are to:
 - Prioritize projects within the program objectives to maximize use of available resources;
 - Review program progress against budget and schedule;
 - Review program results for relevance to program objectives; and
 - Communicate results and solicit input from interested parties.

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- Facilitate communication and linkage with other regional environmental initiatives.
- 5.3. The functions of the Technical Program Committee are to:
- Recommend to the Steering Committee a program that has technical merit and relevance to the needs of the members, and
 - To ensure that the data collection, monitoring procedures and analytical techniques utilized are current.
 - Review data collected and reports prepared for scientific validity.
 - RAMPTECH will be composed of Discipline Specific Tasks Groups that will be responsible to identify and recommend monitoring activities specific to their discipline for compilation into the Annual RAMP Annual Monitoring Program.
- 5.4. Sub-committees of the Steering Committee are:
- a. The Finance Subcommittee
- Is a sub-committee of the Steering Committee.
 - Consists of all funding participants and others as maybe designated by the Finance Chair.
 - Will review proposed annual budgets and the funding members will determine the appropriate funding mechanisms. The funding formula, once developed by the Finance Subcommittee funding members, and approved by the Steering Committee, shall form an appendix to this document.
- b. Communications Subcommittee.
- Is a sub-committee of the Steering Committee,
 - Consists of any interested representatives of RAMP member organizations,
 - Will develop strategies for the communication of RAMP programs and results that will be attached as an appendix to these Terms of Reference;
 - Communications Approval Process - The following categorical approval process will be used to facilitate the approval, publication/advancement of communications materials, information, strategies and initiatives:
 - o ***New Projects/Initiatives*** (i.e. joint community report) - such materials/initiatives will be circulated to the Steering Committee for review and comments. The Steering Committee will be asked to review material and provide feedback within a specified time frame. Approval will be assumed when no response is received.
 - o ***Time Sensitive Issues/Communication Opportunities*** (i.e. media releases, media calls, etc.) - Such issues will be addressed by the Joint Consultant

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

and the Communications Committee Chair in consultation with RAMP Steering Committee Chair, the appropriate sub-committee Chair (if specific knowledge/expertise is required) and a contractor representative.

- o ***Standing/Ongoing Communications*** (i.e. reprinting, updating existing information, etc.) - Such issues/materials/initiatives will be sent to the Communications Committee and the Steering Committee for information purposes. Approval will be granted by the contractor or the relevant RAMP member.

5.5. The Steering Committee may create or strike committees or sub-committees as necessary.

6.0 MEMBERSHIP ON THE STEERING COMMITTEE

6.1. Members represent industrial, regulatory and local community interests. Other interested parties have participated as appropriate. Current members of RAMP are:

- | | |
|--|--|
| - Alberta Environment, | - Fort McMurray First Nation, |
| - Alberta Pacific Forest Industries Inc. (ALPAC) | - Husky Energy, |
| - Albian Sands Energy Inc. | - Mikisew Cree First Nation |
| - Athabasca Chipewyan First Nation, | - Imperial Oil Resources, |
| - Canadian Natural Resources Ltd. | - Regional Municipality of Wood Buffalo, |
| - Environment Canada | - OPTI Canada Inc. / Nexen Inc. |
| - Department of Fisheries and Oceans Canada | - Petro-Canada |
| - Deer Creek Energy Ltd. | - Shell Canada Limited, |
| - Fort McKay First Nation and Metis Local 122, | - Suncor Energy Inc. Oil Sands, and |
| | - Syncrude Canada Ltd. |

6.2. Application for membership in RAMP shall be through submission of a letter to the Chair of the Steering Committee.

6.3. New members may be admitted to RAMP provided:

- a. The concept of consensus agreement is accepted by the new member,
- b. The new member outlines in writing their potential contribution to RAMP and the needs of the member from RAMP,
- c. The admission of the new member is approved by consensus, or failing that, by 75% majority vote of all existing members of the RAMP Steering Committee in good standing

6.4. Any non-funding member of the Steering Committee may relinquish its membership upon giving thirty (30) days written notice to RAMP through the Chairperson.

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- 6.5. Any funding member of RAMP may relinquish its membership at the end of the calendar year upon giving 30 days written notice to RAMP through the Chairperson and after remitting any monies owing for the activities for that year.
- 6.6. Members are expected to adhere to the ground rules (see Section 14.0). Failure to do so could result in membership being revoked.
- 6.7. The Steering Committee, may by a 75% majority vote of all members in good standing and at a meeting convened in accordance with the requirements set out in Section 9.0, elect to revoke membership from the Steering Committee or the Technical Program Review Committee.

7.0 Membership on The Technical Program Committee

- 7.1. Members may be admitted to the Technical Program Committee (i.e., "RAMP TECH") following written application to the Chair of the Steering Committee, following the process outlined in Section 6.2.
- 7.2. The Steering Committee may solicit members for the Technical Program Committee. Solicited members do not need to formally apply for membership on the Technical Program Committee.
- 7.3. The Technical Program Committee may invite specialists to assist with review without reference to the Steering Committee provided that specialist does not become a permanent or voting member.
- 7.4. All voting members of the Technical Program Committee must be approved by the Steering Committee. However, representation by any member organization is not limited though votes are limited to one per member organization. Additional RAMP TECH participants may be added at the discretion of the RAMP TECH chair.

8.0 REPRESENTATIVES

- 8.1. Each member organization shall designate in writing to the Chairperson the name of its representative. That representative is thereby authorized to act and vote in the affairs of RAMP.

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- 8.2. Each member organization may also designate in writing to the Chairperson the name of up to two alternate representatives with full powers to act and vote in the absence of its designated representative.
- 8.3. Each member organization may change, by notice in writing to the Chairperson, the member's name, its designated representative, or alternate representatives. Written notice must be received by the Steering Committee Chairperson ten days prior to the next meeting.

9.0 Steering Committee Structure

- 9.1. The Steering Committee will have 2 officers, namely Chairperson and Vice-Chairperson. Any member of the Steering Committee is eligible for these positions.
- 9.2. The Steering Committee will appoint a Secretariat. This position serves a coordination function. The Steering Committee may hire an individual or organization in the position of Secretariat.
- 9.3. Chairperson: The Chairperson shall be an ex-officio member of all Committees. The Chairperson shall, when present, preside at all meetings of the Steering Committee.
- 9.4. Vice-Chairperson: The Vice-Chairperson, in the absence or disability of the Chairperson, shall perform the duties and exercise the powers of the Chairperson. The Vice-Chair of the Steering Committee shall be the chair of RAMP TECH.
- 9.5. Secretariat: It shall be the duty of the Secretariat to attend all meetings of the Steering Committee and to ensure that accurate minutes are kept. The Secretariat shall also ensure that;
 - a. A record of all the members of RAMP and their addresses are kept, and
 - b. All notices of meetings are sent as required.
- 9.6. RAMP TECH will elect a Chairperson who will be a member of the Steering Committee.

10.0 MEETINGS

- 10.1. The Steering Committee shall schedule a minimum of four (4) meetings per year.
- 10.2. There will be an attempt to hold one meeting annually in one of the local communities other than Ft. McMurray.

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- 10.3. A RAMPTECH meeting will be held annually in the 1st quarter to propose a technical program for the upcoming year for approval by the Steering Committee in time for budget consideration by the funders.
- 10.4. Meetings of any of the committees may be called at any time by the Chairperson (or the Secretary as instructed by the Chairperson) by written notice to the last known address of each member, mailed, faxed or e-mailed 10 days prior to the date of such meeting. A special meeting shall be called by the Chairperson upon receipt of a petition signed by one-third of the members, setting forth the reasons for calling such a meeting. The notice of such special meeting shall be by letter, fax or e-mail sent to the last known address of each member, at least 10 days prior to the meeting.

11.0 DECISION MAKING

- 11.1. Members of RAMP shall strive to reach agreement by the process of consensus. If circumstances arise such that consensus cannot be reached, then a 75% majority decision by all members in good standing at that time shall prevail. Dissenting members may submit a “dissenting opinion” in writing to the chairperson, setting out their reasons for dissent, which will be filed with appropriate regional regulators. Absence from a meeting does not imply consent. However, if a member cannot attend he/she must provide to the chairperson a written position within 2 weeks of issuance of meeting minutes, otherwise consensus will be assumed.
- 11.2. The representatives of a least fifty-one percent (51%) of the members then in good standing on a committee shall constitute a quorum at any meeting of RAMP. Meetings of RAMP may be conducted by teleconference.
- 11.3. For election of officers or as otherwise noted in these terms of reference, each member shall have one vote in the affairs of RAMP, such votes must be made in person by the representative or the member organization designated to vote.
- 11.4. These terms of reference may be rescinded, altered or added to by passing a resolution with a 75% majority of all members in good standing at a Steering Committee meeting.

12.0 REPORTING

- 12.1. An Annual Report shall be generated by RAMP that will include the following:
 - a. A review of the work carried out by RAMP during the year of the report,
 - b. The information necessary to meet regulatory requirements for the industrial partners,
 - c. A discussion of results and impacts or trends (if any) which may have been observed,
 - d. Overview of the annual program and results suitable for wide circulation, and

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- e. Raw data and field reports as an appendix.

13.0 STUDY AREA

- 13.1. The study area includes the waters within the boundaries indicated in Attachment A.
- 13.2. Changes to the study area can be made following the decision-making criteria outlined in Section 11.

14.0 GROUND RULES

- 14.1. Chair Tenure and Succession
 - a. Chairs will serve a one-year term.
 - b. Vice-chairs will also serve a one year term and then will be expected to serve as Chair for at least one additional year, but not more that 2 years e.g., The RAMP TECH Chair, Steering Committee Vice-Chair, will serve as RAMP Steering Committee Chair for 1 year following one year as RAMP TECH Chair.
- 14.2. Role of Members
 - a. All member organizations have equal voice in decision-making.
 - b. While it is recognized that attendance at every meeting is not possible, each member is responsible for reviewing minutes and supporting documents in a timely manner. Participants will have 2 weeks to respond to the content of the minutes. After this period, acceptance of changes cannot be guaranteed.
 - c. Members are responsible to ensure that positions taken are consistent with those of their constituency; and
 - d. Members are expected not to be absent from three consecutive meetings otherwise their membership will be reviewed.
- 14.3. Role of the Consultant
 - a. The consultant will carry out approved program, including:
 - Conduct Field Program
 - Provide technical expertise and /or advice to all levels of RAMP as requested
 - Provide meetings logistics and minutes, meeting minutes will be prepared, and distributed, for all meetings within 2 weeks of the meeting date.
 - Implement Communications Strategies as directed, and
 - Prepare and steward to program budgets.

Regional Aquatics Monitoring Program for the Athabasca Oil Sands Terms of Reference as of March 21, 2006

- b. The consultant will not:
- Act as Chair or Lead on any RAMP committee, subcommittee or Task Group,
 - Approve program activities,
 - Conduct activities not approved by the Steering Committee, unless done so at the consultants cost.

14.4. Communication

- a. Minutes not prepared by the consultant, e.g. Conference Calls, will be submitted to the consultant for inclusion in the records
- b. Decisions and/or Recommendations made at meetings not so documented will be deemed to be non-binding.