

Monthly Report to the CRD from the Fairness and Transparency Advisor

December 2015

This report provides a summary of the FTA’s activities for the Core Area Sewage Treatment Project for the period from **November 28^h to December 31st**.

FTA Activities

Monitoring Role

During this period, the FTA continued to review and monitor upcoming meetings of the various committees, flagging any potential issues associated with transparency, impartiality, or fairness. In this capacity, the FTA also reviewed minutes of committee meetings.

The FTA notes a minor procedural challenge related to the timeliness of the availability of meeting minutes. I note delays in the posting of meeting minutes for various project committees. While it is understood that the timelines are a constraint as they are restrictive, such delays expose the process to risk. A measure of fairness will be *timely provision of information*. Further to this, the unavailability of meeting minutes limits the effectiveness of the FTA’s role to monitor for issues of procedural concern.

Complaints

A significant aspect of the FTA’s mandate and role is to screen and (if eligible) review submitted complaints regarding the wastewater planning process. The table below summarizes the FTA’s activities in this capacity for the reporting period.

November 28 – December 31 2015 Complaints Statistics

Number of applications received	2
Number of “eligible” complaints	2
Number of decisions rendered	2
Number of Complaints previously reported	2

Two formal complaints were received, screened and reviewed during this reporting period. This brings the number of formal complaints received by the FTA to date to four (4). A summary of the recent complaints and the FTA’s decisions are provided below.

Complaint #3 (ID no. 394437)

The FTA received notice of complaint no. 394437 (“the complaint”) on Monday December 7th and proceeded with screening the complaint.

Summary of complaint:

The complainant raised several issues related to whether the Technical Oversight Panel (TOP)’s recent meetings with various citizen groups to address concerns with the project falls outside its mandate and is contrary to the CRD’s agreed upon process for addressing public complaints on the wastewater planning process.

Summary of findings:

The final decision on the complaint was issued by the FTA on Friday December 11th and later posted to the CRD website.

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Overall, the FTA found that for the TOP to actively engage with the public (i.e., citizen groups) is inconsistent with their mandate and is ultimately beyond their jurisdiction. It would be entirely within the purview of the CALWMC (and in fact, it would be consistent with the Project Charter) to direct the TOP to refrain from future public engagement.

Complaint #4 (ID no. 395039)

The FTA received notice of complaint no. 395039 (“the complaint”) on Tuesday December 15th and proceeded with screening the complaint.

Summary of complaint:

The complainant raised two separate issues. The first centres on the potential unfairness and bias in the site selection process. Specifically, the complaint relates to the criteria used to narrow site options, and how these criteria have been weighted in the process of selecting the option sets. In the second issue, the complaint raises procedural concerns with the Eastside consultation process, which the complainant suggests, is inadequate.

Summary of findings:

The final decision on the complaint was issued by the FTA on Tuesday January 5th and later posted to the CRD website.

With respect to the first issue, the FTA found an apparent lack of any clearly articulated, overarching criteria guiding the site options evaluation process. Given the lack of clarity on the process, the FTA was unable to determine whether some factors were given priority weighting over others.

In terms of the second issue raised, the FTA did find that the level of consultation undertaken was adequate in that it was proportional to the issues at hand and that the opportunities for real engagement were robust. However, with respect to one issue raised related to the consultation - lack of information provided to the public on detrimental effects or potential risks associated with a site failure- the FTA found no provision of such information to the public, and determined the process to be lacking with respect to the complete provision of all relevant information.

Other Issues

There were no other issues raised by the public to the FTA during this reporting period.

It is beneficial to restate that the FTA has a role in providing oversight to consultation processes and associated procedures. In part, this is in consideration of the complaints the FTA has received to date, many of which relate to ambiguity around formal project procedures, including the roles and responsibilities of decision-makers. The FTA reminds the parties involved in various processes that the FTA is available for consultation on procedural aspects of undertakings.

Activities Summary

Provided in the table below is a summary of the FTA’s Project hours devoted to each of the abovementioned activities.

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November - December 2015 Activities

Activity	Hours Worked
Setting up procedures	0
Monitoring	2
Meetings	0
Complaints	89.3
Other admin	0
Total	91.3

The total number of hours to be billed for this period (spanning November 28th to December 31st) is 91.30 hours, which totals \$18, 007.50 before tax.