

Appendix 5

Weyerhaeuser Tolko Gorman Bros. Okanagan Sustainable Forest Management Plan

SFM Advisory Group Terms of Reference and Procedures

September 19, 2000
Revised, December 7, 2006

Introduction

The purpose of the Terms of Reference and Procedures is to define the goals, tasks, roles and procedures that will guide the development of the Weyerhaeuser, Tolko and Gorman Bros.¹ Okanagan Sustainable Forest Management (SFM) Plan. The SFM Plan will be developed based on the Canadian Standards Association (CSA) Standard CAN/CSA-Z809, and will be applied to the participating licensees' operating area within the Arrow-Boundary and Okanagan Shuswap Forest Districts.

The Terms of Reference and Procedures include the following sections:

- Goals
- Operating guidelines
- Conflict of interest
- Timelines
- Roles and responsibilities
- Resources
- Decision-making process
- Information
- Communication
- Changes to the process.

Goals

The goals of the process are to:

- Develop a SFM plan in accordance with the CSA guidelines
- Develop procedures for the Advisory Group to monitor the effectiveness of the SFM Plan. Provide ongoing public input into the implementation, monitoring and continual improvement of the SFM Plan.

¹ Also referred to as "Participating licensees"

Operating Guidelines

The SFM Plan will be maintained by Weyerhaeuser, Tolko and Gorman Bros. based on advice and recommendations provided by the SFM Advisory Group. The SFM Advisory Group will include a cross-section of participants with varying interests and backgrounds. Participants in the process will:

- contribute to the development of the SFM Plan
- attend meetings on a regular basis
- consider the views of others in developing recommendations
- act in “good faith” in all aspects of the process
- aim to reach decisions on the basis of consensus
- support an open and transparent process in both the development and implementation of the SFM Plan.

Meetings of the SFM Advisory Group will be open to the general public.

The SFM Plan for participating licensees’ operating areas will comply with all existing legislation and regulations and will be consistent with the strategic direction and intent of the Okanagan-Shuswap LRMP and the Kootenay-Boundary Regional Land Use Plan.

Sustainable ecosystem management will be characterized by resource management practices that are ecologically sound, scientifically based, socially and culturally responsible, and recognize and respect First Nations interests.

Conflict of Interest

Advisory group members will declare any possible or perceived conflict of interest pertaining to a specific discussion topic, should the situation arise. In such cases, the advisory group will decide on the members’ level of involvement relative to the specific topic matter.

Timelines

The SFM Advisory Group will be engaged to review annual progress on performance measures with a goal of continual improvement of the SFM Plan.

Roles and Responsibilities

Active Members of the Public Advisory Group (PAG)

Active members of the PAG commit to regular attendance to, and participation in, Advisory Group meetings and field trips. Active members receive all PAG information and communication including the most recent SFM Plan and Monitoring Report, draft agendas, meeting summaries, information of interest, and invitations for additional

participation (audits, special non PAG meetings, and information sessions). A list of active members, including contact information, is maintained.

Partial Participants of the Public Advisory Group

Partial participants are those that are interested in the SFM Plan process but have decided they cannot fully commit the time and effort required to be an active member of the Advisory Group. Partial participants receive the most recent SFM Plan and Monitoring Report. Included with this correspondence is an invitation, and encouragement, to more fully participate as an active member of the Advisory Group. Any additional Advisory Group communication is available to partial participants on request. A list of partial participants, including contact information, is maintained.

SFM Advisory Group Functioning

Participation in the SFM Advisory Group is open to all interested members of the public. First Nation participation in the advisory group is valued and will be encouraged. Government participation and support is valued, particularly in the capacity of technical advisor on how the SFM Plan aligns with legislation, policy and government direction. Public members agree to participate in the advisory group as an individual member of the public and not as a representative of any interest group. A record of attendance will be included as part of each meeting summary.

The roles and responsibilities of participants in the process are to assist the participating licensees in their development of the SFM Plan by:

- expressing local values that relate to the Canadian Council of Forest Ministers (CCFM) SFM criteria and critical elements
- setting objectives that describe a desired future state or condition for each value
- developing indicators to be used to assess progress in meeting goals
- setting targets related to each indicator that will provide a clear, specific statement of expected results
- developing procedures for monitoring the effectiveness of the SFM plan including annual meetings of the SFM Advisory Group to review results of performance measures and the outcomes of any CSA audits.

The long-standing rights and interests of First Nations will be considered in the development of the SFM Plan.

The participating licensees will engage an independent facilitator who is knowledgeable about the CSA certification process to assist the SFM Advisory Group in its work. The role of the facilitator will be to:

- facilitate advisory group meetings
- prepare agendas and summaries for meetings
- prepare a work plan and time table for the process
- assist participants in developing recommendations for the SFM Plan.

Resources

Public participants traveling to attend meetings will be reimbursed at a rate equivalent to the provincial government Group I rate.

Expenses incurred in the development of this Plan will be the responsibility of the participating licensees.

Decision-making Process

Participants in the process will aim to reach decisions on the basis of consensus. Consensus is defined as “agreement by all participants on a recommendation related to the SFM Plan process or on the final SFM Plan”.

In negotiating to reach consensus, participants agree to:

- negotiate in good faith
- state concerns openly and directly and as interests rather than positions²
- listen carefully, ask questions and educate themselves regarding the interests of others
- share relevant information.

When consensus is reached, a written record of the agreement will be recorded in the meeting summary.

If consensus is not achieved, the facilitator will assist the participants in resolving their differences using the “Dynamic Round Table Dialogues” (Appendix to the TOR) as a guide. If consensus is still not achieved, participants will agree to disagree and the options defined in the negotiation process will be recorded in the meeting summary. The participating licensees will consider all options in development of the final SFM plan and will provide a written explanation for decisions taken where consensus was not achieved.

² Interests are defined as the needs, wants, fears and concerns that are connected to an issue. Positions are defined as a predetermined solution to a problem without consideration for the interests of others.

The participating licensees will consider consensus recommendations of the SFM Advisory Group as advice to guide the development of the SFM Plan. In the event that the participating licensees decide not to accept a consensus recommendation of the SFM Advisory Group, a written explanation for this decision will be included in the SFM Plan process documents.

Consensus will not be required for housekeeping items such as scheduling meeting dates and locations.

Information

The SFM Plan process will be supported by relevant information including the CSA SFM guidelines and supporting reference documents, examples of other British Columbia-based SFM Plans, and other technical information as required. Where desired by the advisory group the participating licensees will seek to provide internal or external experts to gain a better understanding of a particular issue.

Communication

Agendas and meeting summaries will be prepared for each meeting. These materials will be distributed to members of the SFM Advisory Group and as requested, to other interested members of the public. Revised SFM Plans and Annual Monitoring Reports will be shared with advisory group members and with a wider audience of individuals who have expressed some level of interest in the public process. The Plans and Reports will also be shared with all affected First Nation communities.

Changes to the Process

The Terms of Reference and Procedures for the SFM Plan process may be changed at any time during the process in accordance with the decision-making process described in section 8 above.