

**FORT ST JOHN
RESULTS BASED PILOT PROJECT**

PUBLIC ADVISORY GROUP

**Revised and Approved
TERMS OF REFERENCE**
as of February 1, 2010

A. BACKGROUND

A.1 Pilot Project

In June 1999 the BC government added Part 10.1 to the *Forest Practices Code of BC Act* to enable results-based pilot projects. The intent of the pilot projects is to experiment with ways to improve the regulatory framework for forest practices while maintaining the same or higher levels of environmental standards. As of 2005 the *Fort St. John Results-based Pilot Project* is enabled under the *Forest and Range Practices Act*.

Canadian Forest Products Ltd., Slocan Forest Products Ltd., Louisiana-Pacific Canada Ltd. and the Ministry of Forests- Small Business Forest Enterprise Program (the participants) prepared a detailed proposal to provide the basis for the Fort St. John Pilot Project Regulation. The detailed plan and the draft regulation were subjected to public review and comment prior to Cabinet approval. The participants established a public advisory group comprised of representatives who represent important local interests. This group reviewed the proposed detailed project proposal and draft regulation, reviewed comments from the general public, and provided advice to government on the suitability of the project.

Following approval of the pilot project regulation, the Public Advisory Group provided advice to the participants on values, objectives, indicators and targets (See Section B) to be considered in the development of a sustainable forest management plan for the pilot project area, the Fort St. John Timber Supply Area (TSA). The participants received Sustainable Forest Management certification under the CSA standard Z809-02 for the pilot project area in 2003.

A.2 Description of Pilot Project Area

The pilot project area covers the same area as the Fort St. John Timber Supply Area (TSA).

The Fort St. John TSA is bisected by the Alaska Highway, which runs generally in a north-south direction. East of the highway, the topography is gently rolling terrain, part of the Alberta Plateau, which extends to the Alberta border. West of the highway, the terrain is increasingly more rugged, as part of the Rocky Mountain foothills. Further west, the Rocky Mountains form the western boundary of the TSA.

The TSA incorporates the southern portion of the Muskwa-Kechika Management Area, a series of contiguous protected areas and special management zones. Management of the Muskwa-Kechika focuses on maintenance of high wildlife, biodiversity and wilderness values. This is accomplished, in part, through the establishment of approved local strategic plans, which provide direction to local resource management including forestry, oil and gas, parks and commercial recreation.

The Fort St. John TSA serves as the "Defined Forest Area (DFA)" for SFM certification.

B. DEFINED GOALS

The goal of the Fort St. John Pilot Project Public Advisory Group (PAG) is to provide input on the pilot project as described in the approved regulation and pilot proposal. In addition, the group will also meet the needs of the SFM certification process which includes providing input to help ensure that the participant's forest management decisions are made as a result of informed, inclusive, and fair consultation with local people who are directly affected by or have an interest in sustainable forest management.

The PAG will represent the diverse range of interests in the Defined Forest Area (DFA) and will:

- a) According to Section 47 of the Pilot Regulation, ensure that the participants' forest management decisions, as contained in the sustainable forest management plan, are made as a result of informed, inclusive and fair consultation with local people who are directly affected by or have an interest in sustainable forest management and
 - i. Review proposed sustainable forest management plans and amendments to sustainable forest management plans (according to Section 37 with the Pilot Regulation and
 - ii. Review audits as noted in Section 50 of the Pilot Regulation
 - iii. Review annual reports as noted under Section 51 of the Pilot Regulation

- b) According to CSA Z809-02, have opportunities to work with the participants to
 - i. Identify and select values, objectives, indicators and targets, based on the CSA SFM elements and any other elements of relevance to the DFA;
 - ii. Develop alternative strategies to be assessed;
 - iii. Assess alternative strategies and select the preferred one;
 - iv. Review the SFM plan;
 - v. Design monitoring programs, evaluate results and recommend improvements; and
 - vi. Discuss and resolve any issues relevant to SFM on the DFA.

The participants and the PAG shall ensure that the values, objectives, indicators and targets are consistent with relevant government legislation, regulations and policies.

C. OPERATING RULES

C.1 Ground rules/ conduct

The PAG and its representatives agree to work under the following ground rules:

- a) Show mutual respect for all representatives
- b) To use a speaker's list approach, managed by the facilitator

The PAG and participants acknowledge that Aboriginal participation in the public participation process is without prejudice to Aboriginal title and rights, or treaty rights.

C.2 Meeting agenda and dates

- a) Meeting agenda:
 - i. Input on upcoming meeting agendas will be obtained during each PAG meeting
 - ii. The participants will finalize and distribute meeting agenda and meeting summaries to PAG representatives and alternates
 - iii. Time (10 minutes, unless agreed otherwise) will be allocated on each meeting agenda for public presentations or comments, if desired. Presentations are to be identified to the Chair of the participants at least one week prior to the start of each meeting.
- b) Meetings should be held at least twice per fiscal year
- c) Meeting dates will be selected to promote maximum participation of PAG members
- d) Meeting notices
 - i. At least three weeks advance notice of meeting dates will be given
- e) Meeting Location
 - i. Meetings will be held at a time and place most suitable to the PAG, and may vary in time or place to satisfy representatives requirements
 - ii. Suggested meeting location(s):
The Cultural Centre, Quality Inn, if available,
- g) Material, if available, will be provided for review in advance of meetings
- h) Name
 - i. The name of the Public Advisory Group is: Fort St. John Results Based Pilot Project Public Advisory Group (PAG).

D. TIMELINES

The following summarizes key dates for the Pilot Project and CSA Certification.

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|---|-------------------------|-----------|
| 1) Community awareness meeting: | June, 2000 | Completed |
| 2) Review of roles, ToR and background: | January/ February, 2001 | Completed |
| 3) PAG to review and comment on detailed pilot proposal and draft regulation: | March/ April, 2001 | Completed |
| 4) PAG to review public comments and participants' responses and to provide comments for input to government: | May, 2001 | Completed |
| 5) Completion of SFMS matrix of values, objectives, indicators, and targets | Fall, 2003 | Completed |
| 6) Review results of ISO registration audit: | Winter, 2001 | Completed |

Following the initial CSA certification in 2003 the ongoing timeline will be as follows:

- a) Winter (e.g., Jan.- March) PAG/ Participant input on matrix, and Terms of Reference as needed.
- b) Fall (e.g., Sept./Oct.) Review draft Annual Report..
- c) Additional meetings may be scheduled to revise SFMP and CSA matrix, as needed.

E. COMMUNICATION

- 1) Internal to PAG
 - a) The participants should distribute the meeting summary to PAG representatives and alternates within one month following the PAG meeting
 - b) The participants should distribute the Draft meeting agenda at least 2 weeks prior to next meeting
- 2) External
 - a) Pilot project activities will be summarized in the pilot project annual report, which will be distributed to PAG representatives and made available to interested parties
 - b) Only a spokesperson appointed, and as directed, by the PAG will speak to the media on the activities and outcomes of the PAG process
 - c) When reporting to interest areas, the media or external parties, PAG representatives (and alternates) and participants will speak only to their own perspective and will not characterize the interests or roles of other members or the PAG
 - d) Participants shall provide access to information about the DFA and the SFM requirements
 - e) Participants shall provide information to a broader public about the progress being made in the implementation of the CSA Standard
 - f) Participants shall demonstrate that there is ongoing public communication about the DFA, including the public participation process
- 3) Internal to the participants
 - a) Input from the PAG will be reported at meetings of the participants working committee
 - b) Implementation reports and updates will reported regularly at Pilot Project Working Group meetings (includes each of the participants).
 - c) Feedback from the Pilot Project Working Group will be reported regularly to the PAG.
- 4) PAG Surveys
 - a) PAG surveys will be completed to measure the PAG representatives' satisfaction with the public participation process.
 - b) The PAG surveys will be administered by way of a questionnaire, to be completed by PAG representatives periodically.

F. MEETING EXPENSES AND LOGISTICS

- 1) Meeting Expenses for one representative from each interest is available:
 - a) On request, travel costs from place of residence to meetings will be reimbursed at current Canfor rates.
 - b) Expense forms for the above need to be submitted to the participants for reimbursement

G. ROLES AND RESPONSIBILITIES

- 1) Public Advisory Group:
 - a) In addition to First Nations participation, the PAG will consist of a representative for each of the following interests:
 - i. Commercial recreation
 - ii. Environment/conservation
 - iii. Forest contractors/workers
 - iv. Labor
 - v. Oil & gas industry (contractors/producers)
 - vi. Non-commercial recreational- fishing/hunting
 - vii. Non-commercial recreation- non-consumptive
 - viii. Range
 - ix. Rural communities
 - x. Trapping
 - xi. Urban communities
 - xii. Energy
 - b) In addition to the above representatives, advisors from the following may participate by contributing information and advice to the PAG:
 - i. Canadian Forest Products
 - ii. Louisiana-Pacific Canada
 - iii. Cameron River Logging
 - iv. Tembec Industries
 - v. Dunne-za Ventures LP
 - vi. BC Timber Sales
 - vii. Ministry of Forests & Range- Peace District
 - viii. BC Ministry of Environment
 - ix. Integrated Land Management Bureau
 - x. Ministry of Energy and Mines
 - xi. Oil and Gas Commission
 - xii. Muskwa-Kechika Board
 - xiii. Others as required
 - c) The participants are those parties responsible for the implementation of the pilot project. The original participants include:
 - i. Canadian Forest Products
 - ii. Louisiana-Pacific Canada
 - iii. Slocan Forest Products
 - iv. Small Business Forest Enterprise Program

Current participants include:

- I. Cameron River Logging (joined 2002)
- II. Tembec (joined 2003)
- III. Dunne-za (joined 2004)
- IV. Canadian Forest Products

- V. Louisiana-Pacific Canada
- VI. BC Timber Sales

- d) Selection of Representatives
 - i. The participants will recruit initial potential representatives for each interest area
Completed
 - ii. Those people from each interest will liaise and identify who will serve as the representative for that area while recognizing that this role may rotate, if desired, with the alternate for that interest
Completed
 - iii. If a specific interest cannot select a representative, then the PAG may recommend a person
 - iv. The participants will confirm appointments and replacement of PAG representatives and alternates
 - v. The list of interests and/or representatives may be revised based on input from the PAG and with the agreement of the participants

2) PAG Representatives' Role

- a) To provide input related to the Defined Goals (see above)
- b) To be willing to inform others in their area of interest
- c) To liaise with the alternate(s), if any, and ensure that they are familiar with the discussions to-date in advance of meetings
- d) If necessary, to seek time to caucus with the alternate(s) during a meeting to help clarify information and input to the PAG
- e) To attend meetings regularly - representatives may be replaced or removed if more than 2 consecutive meetings are missed
- f) Should a representative (or alternate) have a perceived or real conflict of interest regarding their input related to the Goals (see section B above), this must be declared by the representative or a PAG representative or the participants. The PAG and participants will then decide on what actions are then needed. Potential actions could include asking the member:
 - To serve as an observer for the relevant specific issue(s) and recommendation(s)
 - To take a leave from the PAG (length of term to be defined)
 - Carry on with their normal participation
- g) To be responsible for working towards reaching consensus on recommendations to participants

3) Use of Alternates

- a) Each interest area may identify alternates who will work with the representative
- b) Alternate(s) may be nominated by the representatives or PAG and will be approved by the participants
- c) Alternates will be guided by the Terms of Reference and will act as PAG members when the representative cannot attend or chooses to rotate his/her role from one meeting to another. Only one person will serve as the representative at each meeting.
- d) Alternate(s) must be briefed by the PAG representative prior to meeting to help ensure continuity
- e) Alternates may contribute to discussion in addition to the representative but will not take part in reaching consensus or decision-making of the PAG, unless serving as the representative for that meeting.
- f) Alternates are encouraged to attend PAG meetings as observers even if the representative is in attendance.

4) Observers Role

- a) The general public is welcome to observe PAG meetings

- b) Observers may not participate in discussions unless agreed to by the PAG, facilitator and participants
 - c) Each meeting will provide for up to a total of 10 minutes (or more if agreed to by PAG and participants) for comments or a brief presentation by observer(s)
 - d) Observers will not take part in reaching consensus or decision-making of the PAG
- 5) Participants' Role
- a) To provide information to the PAG as related to the Defined Goals (including the DFA and the SFM requirements)
 - b) To prepare and circulate draft and revised meeting summaries and agendas
 - c) To review and consider the recommendations of the PAG
 - d) To make decisions regarding sustainable forest management and certification
 - e) To make decisions regarding the pilot project
 - f) To demonstrate that all input is considered and that responses are provided
 - g) To provide human, physical, financial, information and technological resources, as necessary and reasonable
 - h) Participants will not take part in reaching consensus or decision-making of the PAG
- 6) Advisors' Role
- a) To participate in discussions and provide applicable information in non-partisan manner that will provide support to the PAG
 - b) To provide and/or clarify technical information for the PAG
 - c) Advisors will not take part in reaching consensus or decision-making of the PAG
- 7) Facilitator's Role
- a) To ensure that meetings address agenda topics
 - b) To ensure that all representatives have an equitable opportunity to participate in the meeting
 - c) To ensure that the representatives, alternates, advisors and participants all participate according to the Terms of Reference
 - d) To manage a speaker's list
 - e) To provide support in summarizing and clarifying issues, recommendations, etc.
 - f) The facilitator will not take part in reaching consensus or decision-making of the PAG

H. DECISION MAKING AND METHODOLOGY

- 1) The PAG agrees to work by consensus, defined as no representative has substantial disagreement on an issue and that they are willing to move forward
 - a) Every effort shall be made to achieve consensus
 - b) Consensus may consist of agreement on a summary of the different perspectives on an issue
 - c) Decisions on specific issues will be considered interim consensus, unless agreed otherwise, until there is consensus on the full set of recommendations

I. DISPUTE RESOLUTION MECHANISM

- 1) Process Issues
 - a) Process issues will be resolved by the facilitator
- 2) Technical Issues
 - a) The representatives will work to identify the underlying issues and work towards a solution in a positive, friendly environment.
 - b) The representatives will seek compromise, alternatives and clarification of information needed.

- c) The representatives will commit to arriving at the best solution possible.
- d) If no consensus solution can be reached, then the outstanding issues will be summarized by the PAG and forwarded to the participants for their consideration.

J. REVIEW OF AND REVISIONS TO TERMS OF REFERENCE

The Terms of Reference will be reviewed biennially or earlier based on consensus of the PAG to review. The approval and revisions of the Terms of Reference requires the approval of the PAG and the participants

Revised:

Public Advisory Group

Date: February 1, 2010

Participants Working Group

Date: February 1, 2010

Next Revision (Approximate Date):

Date: February, 2012