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*(Note: The High Level Forests Public Advisory Group Terms of Reference is linked to the Public Involvement Plan therefore a change in one document may result in a change in another.)*

## **Background**

The direction and focus of the public advisory process has continually evolved through the creation of the Detailed Forest Management Plan (DFMP), Sustainable Forest Management Plan (SFMP), and the desire of Footner Forest Products Ltd<sup>1</sup> and Tolko Industries Ltd, High Level Lumber Division (known as the companies) to have their sustainable forest management practices certified under Canadian Standards Association, CSA-Z809:02, Forestry Standard.

In order to maintain effectiveness and ensure continual improvement in the public advisory process the Terms of Reference has changed. The scope of the Public Advisory Group (PAG) will be to provide input for items related to the Defined Forest Area (DFA), in line with the CSA Z809:02 standard, along with other items outlined under Goals.

The companies recognize Aboriginal and Treaty Rights of local First Nations, and these rights will not be prejudiced by taking part in the Companies public involvement program or being involved in the Public Advisory Group.

## **Introduction**

This Terms of Reference (ToR) document aligns with the public advisory requirements as outlined in 5.3.1 of the CSA Z809:2002 standard. This document will outline the procedures for each of the following components:

- Goals
- Operating Guidelines
- Timelines
- Roles & Responsibilities
- Decision-Making Process
- Conflicts of Interest
- Information & Communication
- Resources
- Mechanisms to Adjust

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<sup>1</sup> Footner Forest Products Ltd was required to allow their CSA Z809:02 Sustainable Forest Management Certification expire after the Woodlands operations were inactive after curtailment in January 2008.

**Goals**

The 6 primary goals of the Public Advisory Group are to:

1. To obtain constructive community input, advice and recommendations to ensure all local interests are effectively involved in forest management planning;
2. Identify and select values, objectives, indicators and targets, based on the CSA SFM elements and any other elements of relevance to the Defined Forest Area (DFA);
3. Develop alternative strategies to be assessed;
4. Assess alternative strategies and select the preferred one;
5. Review the SFM plan; and,
6. Design monitoring programs, evaluate results, and recommend improvements.

**Operating Guidelines**

The Companies will strive to incorporate recommendations of the Public Advisory Group into forest management plans. These recommendations will represent the needs of a variety of industrial and non-industrial interest groups including (but not limited to):

Local Government	Oil & Gas Industry
Recreation	Fish & Game
Trappers	Local mills
Outfitters	Local logging & forestry contractors
Environmental Organizations	Economic development organizations
Tourism	First Nations
Traditional Users	Metis
General Public	Education

Group members agree to work by the following:

1. Consider and respect the opinions and views of other members of the PAG;
2. Participate as a member of the PAG and adhere to their specific roles, responsibilities, and obligations;
3. Act and negotiate in "good faith" in all aspects of the process;
4. Address items that are within the Company's ability to control or influence and will respect existing laws and regulations;
5. Support an open and transparent process in both the development and implementation of the public advisory process or FMP;
6. Comply with this Terms of Reference document.

## **Timelines**

The PAG will plan to meet once per quarter, or as needed, in order to maintain the public involvement process associated with Sustainable Forest Management on the DFA. Meeting frequency may increase when companies are required to meet requirements of a new CSA Forestry Standard, or when a new Forest Management Plan is being developed for the Forest Management Agreement area (FMA0200040).

## **Roles, Responsibilities, and Obligations of Participants**

The High Level Forests Public Advisory Group will consist of stakeholders that will represent a cross section of interests on the DFA. The general public have the opportunity to provide responses and feedback through the public feedback function on [www.highlevelwoodlands.com](http://www.highlevelwoodlands.com), or by contacting a member of the PAG to bring forward item at the next meeting.

The PAG will consist of the following:

1. Facilitator – see section below that details responsibility;
2. Company Staff –will participate in all discussions, and will serve as information sources to the PAG, but will not be included when seeking consensus or taking votes.
3. Stakeholder Members – will participate in all discussions, and will be included when seeking consensus or taking votes.
4. Guests – will consist of Alberta Government, special speakers, or other stakeholder representatives that may be invited to meetings to provide information and clarity regarding SFM related items on the DFA. Guests will not participate when PAG is seeking consensus or in taking votes.

### ***i. Facilitator Responsibility***

1. Facilitator will create meeting agendas;
2. Facilitator will notify Group members of upcoming meetings;
3. Facilitator will manage the flow of meetings;
4. Facilitator will ensure Minutes have captured what was discussed;
5. Facilitator will hold members to Action Items;
6. Facilitator will ensure the Terms of Reference is current;
7. Facilitator will ensure Group members understand their roles and responsibilities;
8. Facilitator will ensure members are informed of SFM items;
9. Facilitator will request additional information from the Companies as required;
10. Facilitator will recommend participation of external parties (Guests) to provide clarity on SFM related items as required;
11. Facilitator will contact government representatives to access government technical information as required to keep PAG informed; and,
12. Facilitator will not vote.

### **Group Member Responsibility**

1. Group members will read and understand this Terms of Reference;
2. Group members will contribute to the development of the Forest Management Plan (FMP) & Sustainable Forest Management Plan (SFMP) by identifying local-level Values, Objectives, Indicators, and Targets (VOIT);
3. Group members must also develop procedures for monitoring the effectiveness of the public advisory process and FMP's;
4. Group members shall adhere to the discussion items outlined in the meeting agenda. Additional discussion items not included in the agenda shall be tabled to a future meeting(s);
5. Group members will keep their organization informed of developments in meetings and gather opinions for subsequent meetings. In the event a member is not able to attend an alternate representative can attend subject to notifying the Facilitator.
6. The PAG will follow process for assessing items raised;
7. The PAG is responsible to determine the knowledge base of its members and, with help from the Companies, seek information and education in areas that require further understanding;
8. Be open to receiving and bring forward public inquiries
9. The Companies will provide reasonable access to company data, resources, and access to information from outside the PAG (ex. experts in particular subject area(s)).

### **Resolving Items of Discussion**

The CSA: Z809 Forestry Standard (section 5.4) provides an approach for resolving discussion of items that may arise during a stakeholder process. The following outlines the means for resolution:

1. Demonstrate whether the item raised is applicable to the DFA;
2. Address the item through the identification of one or more DFA-specific values and the associated objectives, indicators, and targets;
3. Establish and implement performance-based thresholds and specifications to address the item;
4. Address the item through operational controls, and/or best management practices;
5. Determine if this item is already resolved through satisfaction of a previously identified value;
6. Resolve the item through other means, developed and accepted through the public participation process, that clearly and adequately addresses the item.

**Consensus Building Process**

1. All members of the group will strive to make decisions based on consensus<sup>2</sup>. If consensus cannot be reached, there are three alternative courses of action:
  - a) The item may be deferred in instances where more information is required to properly form decisions and will be tabled to the next meeting;
  - b) Seek recommendation from independent sources;
  - c) Stakeholder members can vote to place closure to the item. In instances where a vote is taken, a motion requires two thirds (2/3) majority in order to be carried. A minimum of 6 stakeholder members are to be in attendance at time of vote.
  - d) If a consensus recommendation of the PAG is not acceptable to the Companies, a written explanation of the decision will be provided and included in the FMP as such.
  
2. Written records regarding agreement or lack thereof will be retained in the meeting minutes. Ratification of the meeting minutes will indicate agreement to the item or decision(s) made as to how the outstanding item will be addressed.
  
3. All items, including those of which there is no resolution, will be identified and recorded as such and outlined in the FMP.
  
4. All decisions made by PAG members at PAG meetings will be recorded in the minutes as being ratified by the PAG.

*The following provides the Guiding Principles for Consensus Building (CSA Z809:2002, Section 5.3).*

Principle #1	Purpose Driven	People need a reason to participate in the process.
Principle #2	Inclusive Not Exclusive	All parties with a significant interest in the item should be involved in the consensus process.
Principle #3	Voluntary Participation	The parties who are affected or interested participate voluntarily.
Principle #4	Self Design	The parties design the consensus process.
Principle #5	Flexibility	Flexibility should be designed in the process.
Principle #6	Equal Opportunity	All parties must have equal access to relevant information and the opportunity to participate effectively throughout the process.
Principle #7	Respect for Diverse Interests	Acceptance of the diverse values, interests, and knowledge of the parties involved in the consensus process is essential.
Principle #8	Accountability	The parties accountable both to their constituencies, and to the process that they have agreed to establish.
Principle #9	Time Limits	Realistic deadlines are necessary throughout the process.
Principle #10	Implementation	Commitment to implementation and effective monitoring are essential parts of any agreement.

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<sup>2</sup> Consensus is defined as a substantial agreement reached by concerned interests. Consensus includes an attempt to remove all objections and implies that although participants may not agree with all aspects of the agreement, they are willing to accept the total package.

### **Conflicts of Interest**

Should the situation arise, members, including the Facilitator, will declare any possible or perceived conflict of interest pertaining to a specific discussion or item. In such a case(s), the PAG member should withdraw from discussion on that particular item unless otherwise agreed to by the remaining PAG members.

In instances where the Facilitator has declared or is perceived to be in a conflict of interest, members will appoint a temporary Facilitator for that meeting.

### **Information and Communication**

1. Any documentation generated through the process will be provided to each of the participants of the Public Advisory Group through the support staff of companies. This information may include (but is not limited to) meeting schedules, agendas, and meeting minutes;
2. The Companies will make available to PAG members, copies of FMP's, Annual Performance Reports, and the results of internal and/or external audits or public advisory initiatives;
3. Notwithstanding individual members' responsibility for passing on information to their constituent groups, the companies (or individual delegate(s)) will be responsible for communicating to the general public. This may include the distribution of reference and meeting related materials (i.e. meeting minutes, schedules, agendas, etc.).
4. Meeting agendas and advertisements will be made available to PAG members in the preferred format, posted on the [www.highlevelwoodlands.com](http://www.highlevelwoodlands.com) website, and faxed to visible locations in each of the communities in the region at least one week prior to the scheduled meeting. Meeting advertisements shall also be posted in both *The Echo* and/or *The Pioneer* at least one week prior to the scheduled meeting.
5. Meeting minutes will also be distributed to PAG members in the preferred format, posted on the [www.highlevelwoodlands.com](http://www.highlevelwoodlands.com) website no more than 1 week following a scheduled meeting and will be made available to the general public upon request. In addition, summaries for previous meeting shall also be posted in *The Echo* and *The Pioneer* within two weeks of the meeting.
6. Digital (or otherwise) copies of Forest Management Plans (FMP's), Annual Performance Reports, and the results of internal or external third-party results will be made available to the public upon request.
7. An Annual General Meeting will take place once per year and may occur as part of a regular PAG meeting. At this meeting a report and/or presentation will be provided which illustrates items identified throughout the year and outline progress made in addressing any items.
8. All items discussed will be treated as public information, unless otherwise requested by the companies, or by any other PAG member providing information.

### **Resources**

The companies will establish an annual budget and will cover expenses to allow the public process to function.

### **Mechanisms To Adjust**

The Terms of Reference (ToR) document may be modified at any time during the process in accordance with the procedures outlined in the *Consensus Building Process*.