

Mid Island Forest & Lands Advisory Group (MIFLAG)

Terms of Reference

Revised Date: May 2, 2016

1. Introduction

The purpose of this Terms of Reference is to define the operating rules for the Public Participation Process for Western Forest Products Inc. (WFP) CSA Sustainable Forest Management (SFM) Plan for the Mid-Island Defined Forest Area (DFA). The SFM Plan is prepared in accordance with the Canadian Standards Association (CSA) Standard CAN/CSA-Z809 (current version as applicable). These Terms of Reference are aligned with the CAN/CSA-Z809 requirements for Basic Operating Rules for Advisory Groups as amended from time to time.

Mission Statement

"As volunteer members we represent the values of our communities, our stakeholder groups and ourselves in order to make certain the Sustainable Forest Management Plan for the Defined Forest Area is implemented. This is accomplished by developing, tracking, discussing and continually improving a set of 'Criteria and Indicators' related to these values and having an ongoing dialogue with Western Forest Products representatives to ensure that the environment of the Defined Forest Area, and the communities which rely on them, are sustained."

2. Work of the Advisory Group (Content & Goals)

Public participation is an ongoing volunteer process providing input toward the continual improvement of WFP's fulfillment of the SFM requirements - including the monitoring and follow-up phases of the SFM system. In this way WFP shall provide interested parties with the opportunity to work with the company to:

- Identify and select values, objectives and targets based on SFM elements for identified core indicators and any other indicators of relevance to the DFA.
- Develop, assess and select one or more possible strategies for achieving targets.
- Review the SFM plan.
- Evaluate results of monitoring programs and discuss improvements.
- Discuss any issues relevant to SFM in the DFA.

WFP shall ensure that the values, objectives, indicators, targets and variants are consistent with relevant government legislation, regulations and policies. The process will also ensure that WFP's ability to meet legal obligations is not hindered.

The goal is to provide an opportunity for a wide range of interests in the community that have agreed to participate, to have direct and effective input into the SFM plan. The authority for decisions is described in Section 9 below.

3. Timelines

Meetings of MIFLAG will generally be held every two months, while making allowances for holidays and conflicting participant schedules.

Target date for completion of the annual criterion indicator review: end of February of each year.

Target date for completing annual update of the SFM plan: end of March of each year.

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4. Internal and External Communication

Confidentiality: Information that is considered confidential will be clearly marked as such, and cannot be distributed in any form without the express written consent of WFP on a case by case basis.

General: All participants must communicate with each other in an open and respectful manner. Use of denigrating or derogatory language or behavior will not be tolerated.

Internal: To facilitate interactions between members, a membership list with contact information will be provided for members use only, and is considered confidential. It will be updated as required.

MIFLAG packages (agendas, past minutes, handouts etc.) will be developed prior to the meetings by the Chair/ WFP and efforts will be made to have it circulated to members at least 3 business days in advance of the meeting. Members may add agenda items for upcoming meetings by contacting the Chair.

External: Although MIFLAG members are expected to communicate the progress of MIFLAG to their constituents, they are not authorized to issue public statements on behalf of MIFLAG. The Chair is the designated public spokesperson for MIFLAG.

The Chair may only speak on behalf of MIFLAG. The Chair is not authorized to speak on behalf of the Company. All questions related to company activities must be referred to the company spokesperson.

5. Resources

WFP is committed to providing the necessary financial and human resources to ensure clear and full public participation in the certification process (e.g., personnel, relevant information to facilitate informed decisions, guest speakers, etc.). WFP provides personnel as required to ensure sufficient resources and expertise is available to MIFLAG. WFP representatives are "Standing Members" with current personnel listed in the MIFLAG member list.

WFP funds the services of the Chair. WFP provides meeting venues; refreshments and food are generally provided. Members will be reimbursed for travel as per the expense policy. Reimbursement, at receipted cost, will also be provided for meals and accommodation where travel is required in addition to the regularly scheduled meetings. Expense reimbursement applies to active members as well as guests and speakers.

6. Participant Roles and Responsibilities

Participation in MIFLAG is open to all interested members of the public, interested stakeholders and sector representatives. Public members agree to participate in MIFLAG as individual members of the public and are not representing any particular interest group, while stakeholder and sector representatives (for example Small Business, Government, Community at Large, First Nations, Fish & Game, Labour, Small Business, Tourism & Recreation, Small Contractors, Large Contractors, Environment, and Energy) can and should represent their constituents views and concerns as a whole. Stakeholder and sector representatives need to ensure their constituents are kept informed of the work of MIFLAG.

Selection of Active Members

Nominations for specific individuals to be active members of MIFLAG can be made by existing members, the Chair or WFP. The nominations will be discussed with MIFLAG; however, WFP retains the authority to select and limit the number of members in MIFLAG and to accept or reject the person(s) proposed as

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member(s). The actions of new members will be reviewed by the table after 6 months to ensure that they are abiding by the Terms of Reference.

Active Members:

Active members have specific roles, responsibilities and obligations as outlined in the CAN/CSA-Z809 Standard. These, and MIFLAG specific requirements, are listed below.

- Expected to regularly attend meetings
- Are voting members of the table
- Follow these Terms of Reference
- Stay informed and up to date on the issues being discussed
- Represent their own views and identify clearly what perspective they are speaking from
- Follow through on any commitments they undertake
- Participate fully in each meeting and adhere to the meeting Rules and Code of Conduct described below
- Adhere to WFP Policies for:
 - Health and Safety
 - Bullying and Harassment
 - Violence in the Workplace
- Identify any agenda items, concerns regarding the process, organization, facilitation or requests for additional information to the Chair (during meetings or otherwise)
- Complete the annual Participant Satisfaction Survey

The Chair:

- Plays a supportive role and does not vote on items before the group
- Keeps the group focused and on topic, ensuring time is not wasted. Makes sure the group accomplishes its tasks. Tracks the gaps and priorities
- Ensures the agendas are designed to facilitate productive sessions. Makes sure everyone has a chance to speak. Assists the group with points of disagreement. Is expected to intervene, as appropriate, in the event an Active member or Standing member does not act in accordance of the terms or reference or corresponding policies.
- Will lead or facilitate any necessary disciplinary actions involving MIFLAG members that result from breaches to code of conduct (outlined below) to ensure the TOR is followed
- Ensures reasonable requests for information sharing with the group (e.g., data, analysis, information, etc.) is met in a timely manner
- Liaises with members as requested between meetings to review missed meetings or other issues or tasks
- Acts as the spokesperson for the group and responds to inquiries; grants special guest status; reviews and signs correspondence; is the official spokesperson for MIFLAG, but not WFP
- Ensures that all Discussion Items as defined in CAN/CSA Z809 are discussed with MIFLAG members at least once every three years and all input is appropriately documented

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- Carries out other tasks as discussed with the group or members from time to time that will expedite and/or move the group forward around issues and tasks
- Educates oneself about the issues related to SFM and the work of the group
- Carries out ongoing analysis of tasks, timeframe and design of process that will meet the CSA Standard, member's needs and accomplish the tasks at hand
- Will assist as required in preparing and publishing the Annual Report
- Review draft minutes and approve on the basis of accuracy

WFP Personnel:

- Are Standing members and play a supportive role but do not vote on items before the group
- Provide technical information and professional support
- Prepares and distributes DRAFT meeting minutes within two weeks of the meeting's end
- Provide funding
- Coordinate field trips and guest speakers (where applicable)
- Respond to member's requests in a timely fashion
- Track/monitor indicators
- Prepare Annual Reports
- Communicate WFP's responses to MIFLAG recommendations in writing as required

MIFLAG Table:

MIFLAG Active Members, the Chair and WFP Personnel are considered to be the MIFLAG Table.

Aboriginal Participation:

The long-standing rights and interests of First Nations are considered in the development of the SFM Plan. First Nations whose traditional territories lie within the DFA (Tlowitsis, K'ómoks, Campbell River and Cape Mudge First Nations) are invited to take part in the public participation process. This process is not considered as consultation with First Nations and communications are determined to be without prejudice to the BC Treaty process and aboriginal rights and title.

Participation of Non-Members, Experts, Other Interests and Government

The Chair or the Members can identify stakeholders or resource people to be invited to attend meetings as presenters or participants based on their information, expertise etc. Periodically, guests, guest speakers or observers may attend meetings with authorization from the Chair and WFP. These guests/other interests are not eligible to vote.

All guests must address the Group in an open and respectful manner. Use of derogatory language or insulting behavior will not be tolerated.

Non-Member Input to MIFLAG

Any non-members, interested individuals, stakeholders etc. can contact MIFLAG by forwarding their comments/concerns to a Member, WFP or via the Chair. Contact information for the Chair is posted to the MIFLAG website.

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When a non-member contacts WFP, the Chair or a MIFLAG Active member wishing to have input to the MIFLAG, the person contacted shall immediately notify the Chair or a WFP Standing Member. It is the responsibility of that Member to notify the Chair and find the most appropriate method to bring that information forward to the MIFLAG, at the next regularly scheduled meeting or otherwise.

If the input is of a time sensitive nature, the Chair will assist the Active Member in dealing with the input between regularly scheduled meetings such that the value and timeliness of the input and the person or group providing it is respected.

If there is no relevant Member or First Nation representative to manage the input provided to the MIFLAG by a non-member, the MIFLAG shall review the membership criteria and identify and manage the gap in representation to MIFLAG.

All input by non-members to the MIFLAG shall be recorded, tracked and responded to in writing as needed.

Meeting Rules and Code of Conduct:

All MIFLAG meetings will be recorded to facilitate minute writing. A record of attendance will be included as part of each meeting minutes.

When members are not able to attend scheduled MIFLAG meetings, they shall notify the Chair in advance. If two or more consecutive, regularly scheduled meetings are missed without the notification made, the table shall provide direction to the Chair on an appropriate course of action, which may range from a reminder, a request for intention on continued participation, to removal from MIFLAG, depending on the circumstances.

The Chair shall review the meeting agenda and have the MIFLAG approve it at the onset of each meeting.

The following Code of Conduct will apply to ensure meetings are productive:

- The members will adhere to WFP policies on Health & Safety, Bullying & Harassment and Violence in the Workplace (attached)
- Discussions will be focused on the issues and the facts
- The diverse perspective of each member will be respected
- Only one person will be speaking at a time and without interruptions
- All participants will address each other in an open and respectful manner. Use of denigrating or derogatory language or behavior will not be tolerated Assumptions will not be made about what a particular member means when they speak. Each member has a responsibility to ask for clarifications
- Discussions will be kept brief and to topic with no sidebar discussions
- Disagreements will not be made personal
- Members will keep an open mind with positive feedback to resolve issues efficiently

7. Conflict of Interest

Members must declare a possible perceived conflict of interest around any issue and must state which individual or collective "hat" they are wearing during any associated discussion.

If another member feels at any time during discussions that there is a potential conflict of interest, they must raise it during the discussion.

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Where the MIFLAG table agrees by majority vote that a member is in a direct conflict of interest, the member will not participate in the vote on the motion.

8. Decision Making Methods

Issues are addressed in terms of how they relate to the Sustainable Forest Management System and action commitments are identified in the minutes and tracked according to agreed time frames.

6 Active Members present will constitute a quorum. In the event that a meeting of MIFLAG proceeds with less than a quorum, MIFLAG may only carry out procedural items, discussion of issues and hear presentations from guests. No finalizations of a substantive nature such as ratifying indicator changes or approving or finalizing member status shall take place.

Consensus

Most of MIFLAG's goal-related work is 'interest-based', while those decisions which must be made by MIFLAG are done using consensus building techniques. Consensus is not unanimous agreement. Consensus is "substantial agreement of all members, it is more than simple majority, but not necessarily unanimity".

All perspectives will be documented with final recommendations going forward when consensus is reached.

At the Chair's discretion, and after all reasonable efforts at consensus building have failed, majority rules may be used to reach a decision, whereby a motion requires 50% of the members present plus 1 member to vote for the motion for it to pass. A minimum of 2 meetings of discussion on a topic without reaching consensus must occur prior to invocation of a non-consensus vote. Any MIFLAG member may request that a non-consensus vote be conducted by secret ballot.

Parking Lot

The SFM Plan will include a section referenced as the "Parking Lot" where discussion items that have not had a decision rendered but are important to the group can be placed for future review on an annual basis. The MIFLAG table will decide on whether a discussion item should be placed in the Parking Lot, or left on the table for voting as per the Consensus rules above. In addition, the Parking Lot can be used to track discussions that because of time, resources, state of information/science or other constraints cannot currently be actioned effectively but may be applicable in the future and are important to the members.

Once a motion has been voted on, the issue will be considered resolved and meeting notes will capture any opposing interests.

Consensus will not be required for housekeeping decisions such as meeting schedules, locations, meals, etc.

9. Authority for Decisions

The MIFLAG is an advisory body, not a decision making body and WFP is not required to accept MIFLAG's recommendations. WFP will formally respond (in writing and/or action) to every MIFLAG recommendation raised and with documented reasons when WFP does not accept the recommendation.

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10. Mechanisms to Adjust the Process as Needed

These Terms of Reference will be periodically reviewed (minimum of once every two years) and at any time requested by the table and may be amended for any purpose by WFP including changes to the process.

The Public Participation process is voluntarily established and supported by WFP and may be terminated or re-designed by WFP at any time.

11. Access to Information

Sharing of information occurs as requests from MIFLAG arise. All relevant information is available to the MIFLAG in the most useable format reasonably achievable. The information given out is intended only for the use of MIFLAG and may contain confidential or privileged material. Information that is considered confidential will be clearly marked as such, and cannot be distributed in any form without the express written consent of WFP on a case by case basis.

Information Sharing

Information flows freely between WFP and MIFLAG at regular MIFLAG meetings through access to information, and dialogue between attendees. In addition, each participant has access to information via the website (miflag.org) including the Terms of Reference, the Standard, a list of all acronyms used at MIFLAG meetings, background information on the various certification systems and the certification process, a map of the DFA, and all minutes of previous meetings.

Information required to support decisions of MIFLAG regarding indicators, are collected by WFP (or from information already collected or being collected by other agencies or groups--e.g. Department of Fisheries and Oceans, local stream keeper groups, and others). The feasibility of collecting, analyzing and/or presenting information is determined by WFP in consultation with MIFLAG and other experts at MIFLAG meetings. Once the appropriateness of providing information is determined, the Chair has the role of ensuring that the information is being collected, analyzed and presented to the MIFLAG on a timely basis. Concerns about any of these phases is presented and dealt with at MIFLAG meetings.

12. Dispute Resolution

Conflict between members is expected to be handled by those involved and in accordance to the Code of Conduct above, with the best interest of MIFLAG in mind. The Chair can mediate such conflicts if requested by the members involved.

The Registrar may be called upon to resolve a dispute with regard to the standard.

13. Participant Satisfaction Survey

MIFLAG Members are asked to take part annually in a Participant Satisfaction Survey that is coordinated by the Chair. This is to provide a measure of the group's satisfaction with the process and provide an opportunity for improvement.

Attachments:

WFP Health and Safety Policy

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WFP Bullying and Harassment Policy
WFP Violence in the Workplace Policy