

Bulkley Valley Community Resources Board

Terms of Reference

April 21, 2015

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Chair 2022: Matt Sear, Co-Chair 2022: Jeff McKay

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1.0 Preamble

In the early 1990's, the **Bulkley Valley Community Resources Board** (CRB) was established as a result of the cooperative efforts of the staff of Bulkley Forest District Office of the Ministry of Forests and members of the community residing in the Bulkley Forest District. The first CRB completed the Bulkley Land Resource Management Plan (LRMP) in March 1998. A new Board (the "Board") was subsequently formed in 1999. The Board developed its own terms of reference that was consistent with the previous terms of reference. The last revision to the Boards' terms of reference was completed in 2003 and signed off by local government representatives.

The Terms of Reference were consistent with the spirit and intent of the **Bulkley Valley Community Resources Board Agreement** of October 11, 1991. This document, also called **The Hilltop Agreement**, produced the following two introductory statements:

"It is agreed that good decisions about the use and management of the resources of the Bulkley Forest District (the District, as defined by the Boundaries of the Bulkley TSA) will be reached through processes which genuinely reflect the wishes of the residents. Such decisions should reflect fully all cultural, economic, ecological and spiritual values which members of the community attach to alternative ways such resources might be managed and used, and the course of action adopted should optimize values to the community and the Province."

"Processes which most fully represent the wishes of the District residents can be best achieved through the functioning of a Board composed of individuals who reflect the range of resource value perspectives of members of the affected community. Through the interaction of Board members who reflect these different value perspectives, consensus can be reached through accommodations which balance the values of the members and produce agreements which optimize values to the community as a whole, within the context of the needs of all British Columbians".

The Terms of Reference (updated to January 8, 2003) are combined text from:

- the original **1991 Hilltop Agreement**;
- the **1994 BVCRB, Rules of Operation**; and
- the **1998 LRMP CRB , Terms of Reference**.

As such, the Terms of Reference has guided the **Bulkley Valley Community Resources Board** in its operations and its roles as defined by the document. Since 2003, however, a number of changes to the structure and responsibilities of government agencies have occurred. As well, key sections

of the BVCRB Terms of Reference are no longer consistent with current government policies and practices, prompting the Board to undertake this major update in 2015.

2.0 The Purpose of the Board is to:

- a) Advise government regarding ecologically responsible management of all resources to guarantee long-term resource sustainability and enable communities to maintain their quality of life without compromising the needs of future generations. Implicit in the concept of long-term resource sustainability is the maintenance of the natural biological diversity of the ecosystem (see Appendix A for definitions of sustainability and biological diversity);
- b) Represent the range of value perspectives of the community to guide land-use decisions, with the aid of technical information supplied by the appropriate government agencies and others as deemed necessary;
- c) Provide advice and comment on other resource issues on crown land that relate to the environmental, social and economic well being of the community when, in the opinion of the Board, such advice and comment is warranted;
- d) Conduct reviews and provide comment on agency referrals that propose development on crown lands in the Bulkley Timber Supply Area (TSA) that may have an impact on LRMP objectives and/or have significant community interests to ensure they provide the most benefits possible to the residents of the Bulkley TSA;
- e) Cooperate with provincial government agencies/committees, First Nation governments and local initiatives in monitoring the implementation and effectiveness of the Bulkley LRMP and participate in any follow-up action that would affect strategic plans;
- f) Act as the vehicle for public input on issues arising from the LRMP and public land resource use; and to
- g) Cooperatively develop the review, with appropriate agencies, of any proposed changes to the LRMP.

3.0 Accountability of the Board

- a) The Board is accountable to the residents of the Bulkley TSA.
- b) In fulfilling its monitoring role, and when undertaking significant projects, the Board will consult with the community. The consultations will take the form of public meetings, special meetings, participation on sub-committees, and receiving written advice, suggestions, or information from the public. The Board will maintain a 2-year work plan (Appendix B) to be available for public review and comment. The Board will maintain a public website (bvcrb.ca) and Facebook page. In addition, all meetings of the Board will be open to the public, except, when the nature of the discussions requires meetings in camera.
- c) The Board will maintain open lines of communication with representatives of the community and local First Nation Governments to gain an understanding of their interests and concerns regarding the resources of the Bulkley TSA and the implementation of the LRMP.
- d) All information used by the Board, and all technical analyses provided by the Provincial agencies will be available to the general public.

4.0 Scope and Responsibility of the Board

The Board will:

- a) Deal primarily with issues of integrated land-use, as they relate to the LRMP for the Bulkley Timber Supply Area (TSA), (See Map in Appendix C for defined boundaries);
- b) Keep informed of LRMP monitoring work in the TSA and participate as much as possible in all steps of the LRMP monitoring and evaluation processes;
- c) Provide all government agencies with a reliable reflection of the **range of value perspectives** of the community with respect to resource use planning and development proposals within the TSA;
- d) Consult with the public when developing the Board's work plan and through appropriate mechanisms when actively involved in LRMP monitoring and resource planning;
- e) Cooperate with First Nations, Government agencies, and community interest groups in addressing other (Social, Economic

- and Environmental) land-use issues; and
- f) Monitor forest stewardship plans and amendments to ensure consistency with the LRMP.

5.0 Management Principles

All activities and recommendations made by the Board will take into account the following management principles:

- a) Development should be sustainable and enable people of the community to maintain their quality of life without compromising the needs of future generations;
- b) All resource activities should be ecologically responsible and will be managed to ensure biological diversity at the landscape unit level, defined by the LRMP and the Landscape Unit Plans (LUPs);
- c) Economic, cultural, social and general well being of people and communities should be the aim of managing our natural resources. Land uses on Provincial Lands in the Bulkley TSA should be balanced, so as to provide the most long-term benefits possible to the people of the TSA while recognizing the needs of the people, (both present and future generations) of the province as a whole. The balance of land use zonations as defined by the LRMP, and LUPs should be maintained;
- d) The function of the resources expert is to provide reliable estimates of the physical, biological and economic consequences of alternative activities, including assessment of the uncertainties in such estimates. Whether the consequences of such activities are desirable or undesirable is a value judgement. In a democratic society the value judgement of the expert merits no greater weight than the judgement of the layperson;
- e) Renewable resources include not only the timber, fish, wildlife that are harvested, and the plants on which grazing animals forage, but also the soil, water, air , and other naturally occurring aquatic and land-based organisms;
- f) Maintain the long-term sustained yield of renewable resources. Human activities and use should not impair the capability of the resource base to provide a specified yield of resource products in perpetuity;
- g) Biological diversity “is crucial to conserving renewable natural resource and to maintaining the long-term health of ecological systems.” Therefore, use of crown lands should be compatible with the maintenance of Biological Diversity (Appendix A);
- h) Planning for the use of forest land resources should take uncertainties into account; and
- i) Uncertainty will always exist, and will continue to challenge how best to plan forestland resources and long-term sustainability.

6.0 The Resource Value Perspectives

The Bulkley Valley Community Resources Board Agreement of October 11, 1991, embodied the concept of resource value perspectives on forestland. The list of perspectives is intended to encompass the full range of community perspectives, and is intended to guide the Nominees, assisted by the Selection Committee, in the composition of the Board. Accordingly, the Board will ensure that such perspectives continue to be suitably represented on the Board. It is not the intention to have each or any value perspective represented by a single board member. Quite likely, certain value perspectives will be held principally by some board members (albeit at different levels of zeal), and not by other board members. As well, all board members will be expected have a genuine respect, if not value, for all resource perspectives.

The resource value perspectives are contained in the following list:

- a) Applies particular value to **timber production**;
- b) Attaches particular value to **timber production by small operators**;
- c) Favours the maintenance of **ecosystem integrity** through principles of ecologically based management;
- d) Attaches particular value to the preservation of **large tracts of wilderness** with limited access;
- e) Favours management of forestland resources to maintain habitat of hunted animal species and the aesthetic quality of the **hunting environment**;
- f) Favours management of forestland resources to maintain populations of animals subject to **trapping**;
- g) Favours management of forestland resources so as to maintain quality of **fish habitat** and the **aesthetic quality of the fishing environment**;
- h) Attaches particular significance to a **subsistence lifestyle and spiritual values**;
- i) Favours maintaining features of forestland resources that attract **tourists**;
- j) Favours maintaining water quality for **agriculture and grazing** as well as access to grazing on forestland;
- k) Favours management to enhance **recreation access and recreation facilities** with minimum activity restrictions;
- l) Desires to preserve access to forestlands for **mineral exploration and development**;
- m) **Dependent on commercial uses of forestland** and perceives such

- uses as essential to secondary commercial activity;
- n) Supports **application of advanced technology** to management and uses of resources in order to improve upon nature;
- o) Favours preservation of **aesthetic features** of forestlands including landscapes and localized natural attributes;
- p) Favours preservation of **historical and cultural features** of forestlands;
- q) Particularly values **motorized recreational activities** and the maintenance of access by motorized recreational transportation methods; and
- r) Particularly values non-motorized recreational activities and access to areas where this use predominates.
- s) Favours maintaining the integrity of watersheds and drinking water quality as a valuable resource.
- t) Favours maintaining the integrity of the air sheds and the enhancement of air quality as a valuable resource.

7.0 Board Chairperson, Vice-chair, Secretary and Treasurer

- a) The Board will select a **Chairperson** who will conduct the meetings of the Board, set the agendas for the meetings and have the minutes approved by the Board.
- b) The Chairperson has the same status as other board members and may express his/her opinion on matters under discussion.
- c) The Chairperson is responsible to ensure that meetings are run on a timely and efficient basis. The Chairperson must be prepared to intervene, should discussions become off topic or confrontational. The Chairperson will encourage members and sub-committees to prepare concise presentations on a prompt basis.
- d) The Chairperson of the Board will deal directly with the designated government liaison on issues arising from these terms of reference and Board requests for government assistance. Operational matters, such as participation in monitoring and land use planning, providing comment or requesting technical information and analysis of plans, will be communicated by the Chairperson of the Board, or his/her delegate, to the appropriate government representative. Chair a selection committee for new board members.
- e) If the performance of the Chairperson is not satisfactory to not less than six (6) board members, the Chairperson may be removed from office and a new Chairperson selected.

- f) The Board will also select a **Vice-Chair** who will assume the responsibilities of the Chairperson in his/her absence.
- g) Selection of a Chairperson and Vice-Chairperson shall take place in September of each year.
- h) The **Secretary** will be appointed (at the previous meeting) to record the minutes for each Board meeting. The secretary is responsible to forward draft minutes to all board members (regardless of attendance) within 2 weeks of the meeting. The minutes will be approved at the subsequent Board meeting after any errors and omissions have been corrected.
- i) The **Treasurer** will be appointed by the Board at a regular meeting and will be responsible for fundraising, financial planning and budgeting, bank account maintenance, record keeping and general financial oversight. The Treasurer must report on activity associated with these responsibilities on a regular basis to the Board.

8.0 Term of Board Membership

- a) The term of Board membership will be three (3) years for new members. Normally, the term of Board membership shall begin in September of each year.
- b) In order to maintain continuity, the terms of Board membership will be staggered. (See Appendix D for Board membership and term schedule.)
- c) Board members who have completed their term on the Board shall be eligible for re-nomination to the Board for a limited term of one (1) to three (3) years.

9.0 Meetings of the Board

- a) the discussions, the Board requires meetings in-camera. Something is missing here.
- b) Any individual or group wishing to appear before the Board, or to make a presentation to the Board, may do so by contacting the Chairperson of the Board and asking to be put on the agenda. They must state the purpose of their appearance and submit any written material they wish to present for inclusion with the agenda. The Chairperson will decide upon when the party wishing to make a pre-

sentation will be scheduled to appear. The Board can decide to not allow an appearance before the Board if the Board determines that the issue in question is not within the Board's responsibility. If the Chairperson is of the opinion that a party should not appear before the Board, the agreement of the Board that the party should not be allowed to present must be obtained at the next Board meeting.

- c) The Board will advertise the date and time of its meetings and indicate in such advertisements which meetings will be held in-camera.
- d) A quorum of the Board shall be two-thirds of its members.
- e) Meetings will be held on a monthly basis or as deemed necessary by the Board.

10.0 Agendas, Minutes and News Releases for board meetings

- a) Agendas for Board meetings shall be finalized and made available to Board members not less than three (3) full days prior to the meeting and shall contain copies of correspondence, minutes, action items, reports and such information as is necessary for Board members to make informed decisions.
- b) Items not on the agenda may be brought to the attention of the Board but may not be discussed in any detail or decided upon till the following meeting unless decided otherwise by consensus.
- c) Board members wishing to have items placed on the agenda may do so by notifying the Chairperson of the Board at least two (2) days prior to the finalizing of the agenda and by submitting any pertinent documentation in support of the items to be discussed.
- d) As a general rule, the Chairperson of the Board, or their designate, shall be responsible for news releases and responding to media questions, bearing in mind the Principles of Consensus and Decision Making outlined in Section 14.0.
- e) Agendas, minutes as well as the Terms of Reference, Board Member contact information, and general Correspondence, will be signed by the Board chair, and be posted on the Internet for public review by the web-site coordinator. The web-site address is www.bvcrb.ca.

11.0 Board membership

- a) The Board will consist of twelve (12) members.

- b) Board members will attend all meetings of the Board or, if unable to attend a particular meeting, will inform the Chairperson or other responsible person.
- c) In order to function properly, members of the Board must be willing to come to the scheduled meetings fully prepared to discuss existing and new items.
- d) Board members should become informed about the resource base of the Bulkley TSA, its potentials, and the physical, biological, social and economic consequences of alternative patterns of resources management and use so as to be able to make well informed judgments of what will best serve the public interest. This will entail the study of relevant reports and participation in a majority of Board meetings and periodic public meetings.
- e) A functioning Community Resources Board should produce efficiencies in sustainable resource management and improved operational results in the field, thus, making the time commitment worthwhile.
- f) Board members will:
- g) attempt to keep informed of resource activities in the TSA and identify issues and concerns affecting resource management;
- h) Provide the Chairperson with agenda topics (including a written summary of the agenda topic, by electronic submission) one week prior to the Board meeting;
- i) Present issues and concerns to the Board in an appropriate format; and
- j) help decide on mutually agreeable solutions to the issues and concerns presented.
- k) If, in the opinion of the Chairperson or other members of the Board, a Board member is not adequately performing the expected duties, the Board Chairperson will meet with that Board member to attempt to achieve agreement on what is required to effect subsequent satisfactory involvement of that Board member. Should this not result in an improvement on the part of that Board member, the Chairperson will recommend to the Board removal of that member from the Board. If two-thirds or more of the members of the Board concur, that member will be removed from the Board.
- l) The meeting minutes shall record members as present, absent and excused. If a Board member is absent from three (3) consecutive Board meetings, or five (5) meetings between September and June, without good cause, the member may be removed from the Board.
- m) If it is necessary to replace Board members, the chosen means will be consistent with maintaining the full range of value perspectives.
- n) If a Board member wishes a leave of absence, an agreement for a suitable replacement for the period of absence could be made, if the replacement of that person is agreeable to the majority of the Board.

12.0 Selection of new board members

The following procedure applies when a vacancy occurs or when the regular terms of Board members are complete:

- a) A Standing Selection Committee (Committee) of three or more past Board members will be responsible for the selection of new Board members;
- b) Once established by the Board, the Committee will be responsible to maintain an active list of committee members who will be assigned to annually fill Board vacancies, normally beginning in September. The Committee will keep the Board regularly informed of its progress;
- c) The Committee will seek nominations from the community. Any member of the community may nominate a person for Board membership;
- d) Each nominee shall complete a Nomination Form similar to that used in the initial selection of Board members in November–December, 1991;
- e) If necessary, a meeting of all nominees shall be convened and each nominee shall be afforded an opportunity to speak in support of his/her nomination;
- f) The Committee using the consensus approach shall select the required number of members to sit on the Board;
- g) The Committee shall ensure that the full range of value perspectives will be represented on the Board; and
- h) In addition to ensuring the full range of value perspectives are represented on the new board,
- i) The Committee shall consider the following as well, so as to ensure the composition of the Board is indeed reflective of the Bulkley Valley community at large:
 1. The professional, vocational, community, cultural or business background of existing board members and the proposed nominees;
 2. Demographic considerations such as gender balance and age;
 3. Geographic location of residence in the Bulkley TSA;
 4. The extent to which the nominee's support by other nomi-

- nees and existing board members is broad-based in terms of the full range of value perspectives;
5. Canadian citizenship; and
 6. Such other factors that the Committee may determine.

13.0 Sub-committees and working groups

- a) The Board may set up sub-committees. Membership on sub-committees is not restricted to Board members. The Chairperson of a sub-committee shall be a member of the Bulkley Valley Community Resources Board. Each Sub-committee must have a designated spokesperson to represent their issues.
- b) Any reports, briefs, information or advice generated by sub-committees and working groups shall be considered advisory to the Board only. The Board will discuss issues raised by sub-committees and adopt such items as it deems appropriate.
- c) Each Board Sub-committee will prepare an update of their activities to be presented to the entire Board. Any items needing further resolution beyond the sub-committee level may be brought forward to the Board.
- d) In order to obtain advice from the community on specific issues, the Board may appoint Working Groups. Membership on Working Groups can be drawn from the community at large.
- e) An annual plan and schedules of each sub-committee and working group's activities will be produced as needed. Major projects will be listed in the Board's work plan in Appendix B.

14.0 Decision making and principles of Consensus Building

The Board will strive to arrive at decisions by consensus.

It is important that all Board members be familiar with, and subscribe to, certain basic elements that are important in developing consensus on difficult and complex issues. The following principles will apply to the process of consensus:

- a) The purpose of the negotiations is to agree;
- b) Board members agree to act in "good faith" in all aspects of the negotiations;

- c) Board members accept the concerns and goals of others as legitimate;
- d) The focus will be on interests and concerns rather than on positions and demands;
- e) Board members commit to fully explore issues, searching for solutions in a problem-solving atmosphere; and
- f) Board members shall faithfully endeavour to reach decisions which best serve the welfare of the community rather than the welfare of a particular organization or group.

Consensus is defined as general agreement by all Board members or lack of expressed objection by any Board members. The aim is to reach consensus on recommendations relating to all issues addressed by the Board. The Minutes of a meeting will be presented at the following meeting giving Board members an opportunity to reaffirm the consensus previously reached. If the Board is unable to achieve consensus on specific issues or planning options the following process will be followed:

- a) The dissenting Board member(s) will pinpoint the area of disagreement so that the exact nature of the disagreement can be determined (i.e. is it a difference over wording or is it a more substantive disagreement on a matter of principle?);
- b) The secretary will note the details of the disagreement in the minutes and will read them back to ensure correctness;
- c) If it is a matter of wording, the chairperson will entertain different wording proposals to determine if consensus can be reached;
- d) If it is a matter of principle:
 1. The dissenting Board member(s) will be asked to prepare a written report as soon as possible outlining his/her differences with other Board members and the reasons for the disagreement;
 2. If possible, the report will contain an alternative to the position held by most Board members and background documentation to support that alternative;
 3. The chairperson will again place the issue before the Board to determine if consensus can now be achieved; and
 4. If, after the above, consensus is still not achieved, the following “fallback” procedure will apply:

- i. A “Disputes Mediator”, jointly agreed to by the Board will be asked to help resolve the differences;
- ii. If, with the assistance of the Disputes Mediator, the differences are still not resolved, the matter will be resolved by a majority rule vote (being at least eight (8) members of the Board), and:
 - all details of the differences will be recorded in the minutes of the meetings. Also attached to the minutes will be the report submitted by the dissenting Board member(s);
 - that part of the issue in dispute will be recorded as having been settled by majority vote due to lack of consensus; and
 - where the issue involves the main planning options of a change to the existing, or a new LRMP, the report of the dissenting Board member(s) shall form part of the revised or new Plan.

16.0 Other planning processes

The Board recognizes that because of evolving government policy, other planning processes may occur and the Board will cooperate with the relevant planning bodies to ensure consistency and compatibility among plans. Draft plan options that arise from these other planning processes should be presented to the Board at early planning stages and before public review so the Board can evaluate how consistent these plans are with the Land and Resource Management Plan. If no compatible option can be found, the Board will recommend plan changes to the relevant group(s).

17.0 Amendments to the Land and Resource Management Plan (LRMP)

- a) Special circumstances (for example: the changes resulting from forest fires, massive insect infestations, large-scale blowdown, drastic changes in wildlife habitat) may arise that require the LRMP to be altered. The appropriate government agencies will substantiate these circumstances or monitoring results and present the Board with the relevant information. The Board, in cooperation with the appropriate government agencies, will then recommend amendments to the Plan.
- b) No action contravening the Plan shall be taken until the Plan has been amended. If urgency is indicated, the Board will respond as quickly as possible.

18.0 Changes to the Terms of Reference

- a) If it is determined that the Terms of Reference can be improved by amendment, addition or deletion, the Board has the power to make such changes provided they are in keeping with the spirit and intent of the **Bulkley Valley Community Resources Board Agreement** of October 11, 1991.
- b) Copies of the Terms of Reference will be sent to appropriate government agencies, local governments, and First Nation Governments.