

Terms of Reference

July 23, 2007

Background

Under the new results-based *Forest and Range Practices Act* (FRPA), forestry licensees are required to develop results and strategies to conserve and protect cultural heritage resources as a result of forestry activities, and have the responsibility to consider the interests of all affected First Nations when preparing and implementing Forest Stewardship Plans (FSP). Identifying and understanding *what* First Nations concerns on the land base are, and *where* or *when* these concerns need to be addressed are critical to this process.

To this end, legislation, policy and planning processes should support and encourage effective information sharing between First Nations, licensees and government agencies regarding cultural heritage values, and support the development of effective results and strategies. The Forest and Range Evaluation Program (FREP)¹ is concerned with evaluating how well these processes are functioning, what barriers exist, and what key elements of successful cultural heritage resource management can be identified and shared among forest managers across the Province.

An initial draft set of *process indicators* (draft version 1 – Feb 2007) were presented and discussed at a series of workshop sessions in January 2007 involving First Nations, licensees and government representatives. A second version (draft version 2 – March 2007) was prepared incorporating further discussion and feedback from a subsequent Provincial Dialogue Session held in March 2007.

The key areas of concern addressed by the current version of process indicators are:

- Availability of capacity and resources to participate in forest management and planning
- Relationship building between First Nations and forest managers
- Availability of documented or transferable cultural heritage resource information
- Effective communication of cultural heritage resource information to forest managers
- Effectiveness of the planning framework

The pilot project as a whole is also concerned with evaluating the impact or *outcomes* of forest practices on the ground, in addition to the *processes* guiding forest practices, as discussed above. *Outcome indicators will be not be considered by this working group.* The development of outcome indicators will involve a combination of different approaches as decided on a district by district basis. Discussions on how to proceed with the outcome indicators are ongoing, and will continue throughout July and August 2007.

Purpose of the Working Group

This working group has been assembled to:

1. Finalize a set of pilot *process indicators* for the CHR pilot project;
2. Establish evaluation protocols that will be used to assess these indicators;
3. Develop the evaluation tools or materials required to pilot the evaluation protocols (e.g., survey instruments, interview questions, field cards, etc.);
4. Provide guidance for implementing pilot evaluations in selected MFR districts in collaboration with participating First Nations partners; and

¹ For more information about FREP, please visit the FREP website: <http://www.for.gov.bc.ca/hfp/frep/index.htm>

5. Explore the potential for applying pilot indicators and/or protocols more widely to evaluate FRPA administrative processes.

Objectives of the Working Group

The overall objectives guiding this part of the CHR pilot project are to:

1. Evaluate the effectiveness of cultural heritage resource management planning under the *Forest and Range Practices Act* (FRPA), and how this process is influenced by:
 - pre- and post-FSP voluntary guidelines outlined in the FRPA Bulletin #1
 - guideline documents focusing on a specific CHR (e.g., Guidelines for Managing Cedar for Cultural Purposes or local cedar management strategies)
 - locally established agreements or processes for the identification of cultural heritage resources (e.g., pre-harvest field visits to identify cultural heritage resource concerns)
 - the availability of cultural heritage resource information;
2. Evaluate the effectiveness of the objective set by government for the management of cultural heritage resources under FRPA² and other legislation (e.g., the Land Act) from planning stages through to harvest and post-harvest activities;
3. Document and evaluate the effectiveness of information sharing between First Nations and forest managers regarding cultural heritage resources during Forest Stewardship Plan (FSP) development stages through to harvest and post-harvest activities;
4. Identify innovative and successful approaches for facilitating or enhancing the communication of CHR information between forest managers and First Nations; and
5. Provide recommendations for the development of a more comprehensive set of monitoring indicators and protocols that can be used for broader program implementation in the 2008-2009.

Roles and Responsibilities

Chair – Lisa Levesque, Forest and Range Evaluation Program

- organize conference calls and meetings as required
- provide all necessary information and background materials to working group members
- incorporate and synthesize feedback from working group discussions into project documentation at least one week prior to the following meeting date
- communicate regularly and in a timely fashion with working group members
- ensure the successful completion and implementation of the pilot evaluations

Working Group members

- participate in bi-weekly conference calls of (*approximately 2 hours*) to finalize indicators, develop draft implementation protocols, and develop evaluation tools (e.g., surveys, interview questions, etc.)
- prepare in advance for bi-weekly conference calls in order to actively participate in discussions (e.g., review background documents, etc.) (*approximately 2-3 hours bi-weekly*)
- read and provide feedback on all project documentation to the working group, and/or the Chair, when requested and within established timelines
- contribute to the development of draft indicators, protocols and evaluation tools during meetings and conference calls

² The objective set by government for cultural heritage resources is to "conserve, or if necessary protect cultural heritage resources that are: (1) the focus of a traditional use, by an Aboriginal People, and that are of continuing importance to that people; and (2) not regulated under the Heritage Conservation Act. (FRPA Forest Practices and Planning Regulation, Section 10)

Additional responsibilities of First Nations members:

- communicate regularly with, and keep key band members, including Chief and Council, advised of working group activities and progress

External Advisors

- review final pilot indicators, protocols and evaluation tools prior to implementation
- provide high level guidance to working group, particularly key legal or legislative considerations

Meeting Schedule

The working group will convene for bi-weekly video conference calls. A face-to-face working session may be required to finalize protocols and evaluation tools in August-September 2007.

Team Members

Working Group members

Cheryl Gilbert – Chilcotin Forest District, MFR
Jason Kerley – Chilcotin Forest District, MFR
Daryl Sulin – Ulkatcho Indian Band
J. Cameron Beck – Ulkatcho Indian Band
Rosemarie Sam – Nak'azdli First Nation
Alec McKinnon - Nak'azdli First Nation
Carl Pollard – Fort St.James Forest District, MFR
Dwayne Martin – Fort St.James Forest District, MFR
Keith Hunter – Tseshah First Nation
Cindy Stern – contractor representing Tseshah First Nation
Brandy Lauder – Hupacasath First Nation
Andrew Riecker – South Island Forest District, MFR
Lisa Levesque – Forest and Range Evaluation Program, MFR (Chair)
Gilbert Richer - South Island Forest District, MFR

Advisory Committee / Reviewers

Brian Westgate - Resource Tenures and Engineering Branch, MFR
Charlie Western - Resource Tenures and Engineering Branch, MFR
Diane Goode – Aboriginal Affairs Branch, MFR
Peter Bradford – Forest and Range Evaluation Program, MFR
Sarah Quinn – Integrated Land Management Bureau
Mark Hamm – Central Cariboo Forest District, MFR