Morice LRMP
Ground Rules

December 2002

MORICE LRMP GROUND RULES

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INTRODUCTION

These Ground Rules are intended to serve as procedural guidelines for participants in the Morice LRMP. The purpose of the Ground Rules is to ensure that the Table functions smoothly and that all members participate in a fair and equitable manner. The Ground Rules can be revised by consensus of the Table. The Ground Rules include the following sections:

?? Code of Conduct

?? Consensus Process

?? Decision Making

?? Procedures in the Event of Disagreement

?? Table Membership

?? Process Support

?? Working Groups

?? Meeting Procedures

?? Media and Public Communication

Terminology

The following definitions will apply to the Morice LRMP Ground Rules.

"Table Member" refers to the Spokesperson and Alternate(s) for each of the First Nations and sectors participating in the LRMP process.

"LRMP Table" refers to all First Nations and sectors participating in the Morice LRMP.

"Constituency" refers to all individuals or organizations that are represented by a First Nation or sector in the LRMP process.

"Caucus" refers to individuals within a constituency who have volunteered or been selected to provide advice on behalf of the First Nation or sector to the Spokesperson and Alternate(s).

1.   CODE OF CONDUCT

Table Members in the Morice LRMP will:

?? Participate in good faith;

?? Treat others with courtesy and respect;

?? Listen attentively;

?? Seek to gain a better understanding of the perspectives of others;

?? Refrain from dominating discussions at the Table and provide opportunities for the interests of others to be heard;

?? State concerns openly and directly;

?? State views as interests rather than positions;

?? Speak in a clear and concise manner;

?? Avoid use of acronyms and technical jargon;

?? Come to meetings prepared and ready to engage in productive discussion;

?? Share information related to issues being discussed;

?? Avoid side conversations at the Table;

?? Commit to resolving issues at the Table and agree not to end run[1] the decision making process or otherwise undermine the work of the Table;[2]

?? Take individual responsibility to address the interests of others – even when they are perceived to be conflicting or competing with their own interests;

?? Endeavour to support other Table Members at the Table as required;

?? Work co-operatively to achieve consensus on issues being addressed;

?? Respect decisions that have been reached and agreed to at the Table; and

?? Be accountable to members of their sector, other Table Members and the general public.

Table Members are collectively responsible for monitoring compliance with the code of conduct. The Process Facilitator will provide leadership and support to Table Members.

2. CONSENSUS PROCESS

2.1 Definition of Consensus

Consensus is defined as an agreement where Table Members are prepared to endorse or accept[3] a proposed solution.

In reaching consensus, Table Members may abstain. An abstention means that the Table Member is prepared to accept the agreement in keeping with the definition of consensus above.

2.2 Confirming Consensus

To confirm that the Table has reached consensus the Facilitator will:

?? repeat the agreement and verify that it is acceptable; and

?? request that a written record of the agreement be recorded in the meeting summary.

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[1] An end run means by-passing the work of the Table and trying to influence provincial government decision-makers through other channels.

[2] First Nation activities related to treaty negotiations (e.g., side table discussions and working agreements) and other resource planning and consultation initiatives are in keeping with the work of the Table.

[3] Acceptance means First Nations and sectors are prepared, at a minimum, to tolerate the proposed solution and honour the consensus decision of the Table.

Only those Table Members who are sitting at the Table may participate in the consensus process.

Where consensus is being sought on significant working agreements and on the final recommendations package, the Facilitator will confirm consensus through a round table process where each Table Member will be asked to indicate their acceptance, abstention from or opposition to the proposed solution. If consensus is verified, the Facilitator will request that a written record of the agreement be recorded in the meeting summary.

On significant working agreements participants may flag points of concern that they may wish to revisit in the context of the final recommendations package. Table Members who abstain may indicate reasons for their abstention.

2.3   Quorum

Decisions will not be made unless there is a quorum (12 or more Table members present at the Table).

2.4   Sector Ratification

Before consensus is reached on a significant working agreement or on the final recommendations package, it is understood that some Table Members may have to take the agreement back to their First Nation or sector for ratification. Table members who require ratification will be expected to provide a response back to the Table by the next meeting.

3.   DECISION MAKING

There are generally three types of agreements that are developed within LRMP processes: 1) process and procedural agreements; 2) working agreements; and, 3) agreement on the recommended LRMP.

3.1   Process and Procedural Agreements

Process and procedural agreements include decisions on issues related to the day-to-day functions of the LRMP Table such as scheduling meeting dates, agenda management, and establishing Table priorities.

The Process Manager will be responsible for routine procedural matters such as process logistics and distribution of meeting materials.

Consensus will be sought on significant process issues such as changes to Table ground rules and setting meeting dates. In the interest of expediency, where consensus cannot be reached, decisions will be determined on the basis of majority interest.

3.2 Working Agreements

As the Table moves through the process, it will craft a series of "working agreements" that address specific topics or issues.

Consensus will be sought on working agreements as they are developed. Once the Table has accepted a working agreement, it will be integrated into a draft LRMP package.

When accepting a working agreement, it is understood that specific issues may/will be revisited once a draft package has been developed. For example, final acceptance of zoning in one area may depend on the type of zoning that is developed elsewhere in the plan.

3.3 Final LRMP Package

The Table will seek to reach consensus on the final LRMP package. Where agreement cannot be reached, the procedures in Section 4 will apply.

4. PROCEDURES IN THE EVENT OF DISAGREEMENT

The Table will apply the following interest-based negotiation steps to resolve issues:

?? define the issue;

?? identify interests;

?? brainstorm options;

?? evaluate options; and

?? choose an option.

If an issue cannot be resolved, the Facilitator may:

?? refer the issue to a small ad hoc working group to explore the issue in more detail and prepare a recommendation to bring back to the Table;

?? recommend deferring further discussions until a specific date to allow more analysis or further negotiation. In such cases, unmet interests related to the issue will be recorded for clarification and transparency when the discussion is reopened;

?? request that those who are opposed to the proposed solution develop an improved solution that meets their interests while continuing to satisfy the interests of other sectors; or

?? identify further research or dispute resolution techniques that could be used to resolve the disagreement including mediation.

If one or very few Table Members are unable to support a proposed solution, they will have the responsibility to show why they are opposed and if they are unable to do so, they will be expected to lend support to the consensus (which could include an abstention).

Where the resolution process fails to provide agreement on the topic or product, then the Table will be asked to ratify the areas of agreement and disagreement at the Table. The areas of disagreement, including alternative products, will be used by government at the end of the process to determine a final outcome.

If the Table ratifies a recommendation or package of recommendations at a meeting where the representatives of a First Nation or sector were not in attendance, then the recommendations will only be revisited at subsequent meetings if the Table agrees that circumstances surrounding lack of attendance warrant revisiting the recommendation(s).

5.   TABLE MEMBERSHIP

5.1   Spokespersons and Alternates

Each First Nation and sector will select a spokesperson and an alternate(s) to represent its interests at the LRMP Table. First Nations and Sectors will be expected to maintain a formalized structure (constituency and/or caucus) for communicating interests and negotiating strategies to the spokesperson and alternate.

Spokespersons and Alternates may jointly share participation responsibilities at the table, although only one representative from each First Nation or sector may sit at the Table at any given time. Spokespersons and Alternates are responsible for staying up to date with the discussions taking place at the Table. Alternates have full authority and responsibilities of Table Members while they are sitting at the Table.

Spokespersons and Alternates will not carry on side discussions at the Table. A Table member may request a two-minute caucus to discuss an issue with his/her alternate(s).

Spokespersons and Alternates may rotate their representation at the Table following a scheduled break (including a two-minute caucus break).

An "open chair"[4] will be available at the Table to provide First Nation and sector representatives with an opportunity to provide input on specific issues being discussed at the Table as follows:

?? Table Members may utilize the open chair to bring forward a personal interest that is relevant to an issue being discussed at the Table, but which is separate and apart from interests of the First Nation or sector he/she represents;

?? First Nation and sector alternates may utilize the open chair to bring forward interests that are different from those being brought forward by the representative at the Table if, after having explored the issue during a two-minute caucus break, it is clear that there is divergence of interests among the representatives of the First Nation or sector; and

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[4] Occupants of the "open chair" will not participate in consensus decisions at the LRMP Table.

?? a Table Member may request that a member of his/her caucus be permitted to occupy the open chair to provide a site specific and/or technical clarification to an issue being discussed at the Table.

Table Members will occupy the open chair for only as long as it takes to bring forward the interests/information that is relevant to the issue being discussed at the Table (including the time it takes to answer any questions other Table Members may have).

The open chair will also be available at designated times during Table meetings to provide an opportunity for observers to direct comments or questions to the Table. These presentations will be limited to 5 minutes each.

Spokespersons and Alternates will:

?? abide by the Ground Rules;

?? be accountable to their caucuses and develop interests and negotiating strategies in a manner that reflects the overall perspective of the caucus;

?? communicate their interests to other Table Members;

?? attend meetings on a regular basis and participate fully in Table discussions;

?? come to meetings prepared (i.e. review meeting summaries, read supporting documentation, communicate with sector caucus on issues to be discussed, etc.); and

?? strive for consensus.

First Nations and sectors will provide a quarterly update on their structure (i.e. identify the organizations and/or individuals participating in the caucus) and ongoing communications procedures.

Table members may seek advice from the Table or the Process Team regarding sector and caucus issues such as membership, procedures and conflict of interest. To avoid an issue of perceived conflict, sectors may require that caucus members for their sector not serve as caucus members for other sectors. This option is not meant to limit the opportunity for sectors to share information or to participate with other sectors to jointly explore solutions for issues being addressed in the LRMP.

5.2 Provincial Government Representative

One spokesperson and one alternate will be appointed from the Ministry of Sustainable Resource Management to represent the interests of the provincial government in the Morice LRMP. The provincial government Spokesperson will be responsible for consulting with the Provincial Government Advisory Committee and other provincial agencies as required to ensure that the full range of provincial government interests is represented in the process. The Spokesperson will also provide the Table with relevant information on provincial government legislation, policy and agency mandates as required.

The provincial government Spokesperson and alternate will abide by the Ground Rules, respect local interests, participate in good faith, and strive to achieve consensus.

5.3   Maintaining a Continuity of Representation

First Nations and sectors will strive to maintain a continuity of representation in the LRMP process. Should a gap in representation develop due to the departure of a Table Member, the Process Manager will contact the First Nation or sector caucus to clarify the reasons for the departure and facilitate the return or replacement of the Table Member.

If a First Nation or sector Spokesperson departs from the process, it is expected that the Alternate will assume the role of Spokesperson either on a permanent basis or an acting basis until a suitable replacement is found. If the Alternate assumes the role of Spokesperson, it is expected that a new Alternate will be selected.

In general, it will be more difficult to bring a new member to the Table later in the process.

In the event that Table Members or alternates are replaced, incoming individuals will be required to:

?? abide by the Ground Rules;

?? become familiar with past work completed by the Table; and

?? accept agreements previously made by the Table.

If a First Nation or sector is unable to maintain its presence at the Table (e.g., the Spokesperson and Alternate have departed and replacements have not been identified), The Process Manager will work with the First Nation or sector to identify a suitable remedy including aligning the interests of the First Nation or sector with another First Nation or sector at the Table.

5.4   Adherence to Ground Rules and Terms of Reference

Table Members will strive to abide by the Terms of Reference and Ground Rules. In cases where a Table Member is not able or willing to abide by the Terms of Reference or Ground Rules, the Facilitator or Process Manager will discuss the matter with the Table Member and seek to identify an appropriate remedy. If the Table Member continues to not abide by the Terms of Reference or Ground Rules, the Facilitator or Process Manager will discuss the issue with the First Nation or sector caucus in an effort to seek a remedy. If no remedy is found or the Table Member continues to not abide by the Terms of Reference or Ground Rules, the Table Member may suspended from the LRMP Table.

The above procedure may also be applied if the Spokesperson and Alternate for a First Nation or sector fail to attend meetings on a regular basis (i.e., more than two consecutive meetings).

5.5 General Public, Observers and Invited Guests

The Morice LRMP is a public process and all Table meetings will be open to the public in accordance with the following procedures:

?? all meetings of the Table shall be advertised in advance;

?? members of the public may attend meetings as observers;

?? members of the public will be encouraged to forward their interests to the appropriate sector at the Table;

?? observers will be given an opportunity to direct questions or comments to the Table at designated times during each meeting. Observer comments will be directed through the open chair and will be limited to five minutes each. Requests for presentations will be made through the Process Manager or Facilitator;

?? prior to consensus on the LRMP document being formalised and submission of the document to government, local open houses will be arranged. Where necessary, other local open houses will be arranged periodically to provide an opportunity for ongoing input; and

?? copies of meeting notices, meeting agendas and meeting summaries and other information provided to members shall be routinely placed on an internet web site for the LRMP for distribution to members and an the public.

Technical experts including representatives from government agencies (including federal agencies) may be invited to make presentations to the Table on specific issues or topics related to the completion of the LRMP. Requests for presentations should be brought forward during Table meetings so that they may be appropriately integrated into the LRMP work plan and meeting agendas. Logistical arrangements for technical presentations will be coordinated through the Process Manager. Technical presentations will be clear and concise and presented in lay terms.

6. PROCESS SUPPORT

6.1 Role of the Process Manager

The Process Manager will be responsible for coordinating the broad process design and providing leadership and support on procedural items to facilitate effective resolution of land use issues at the planning table. Specific responsibilities will include:

?? provide support to the Table and First Nations and sectors on procedural items;

?? prepare and distribute agendas and meeting summaries and supporting documentation related to the LRMP process;

?? prepare and implement a communication plan for the LRMP (newsletters, open houses, media contact, web site, etc.);

?? co-ordinate activities of the Process Team and the Government Technical Team;

?? provide advice to the Table on government's corporate direction and policy;

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[5] Occupants of the "open chair" will not participate in consensus decisions at the LRMP Table.

?? act as a communication link on procedural issues between the Table and the MSRM;

?? manage government-to-government discussions with First Nations;

?? liaise with federal and local government agencies to provide clarification on legislation and policy;

?? coordinate involvement in the LRMP with participating First Nations and sectors;

?? coordinate public involvement; and

?? manage the LRMP budget.

6.2   Role of the Facilitator

The Facilitator will:

?? chair Table meetings;

?? ensure that Ground Rules are followed;

?? encourage a co-operative atmosphere among participants;

?? ensure that all Table Members are given an equal opportunity to speak;

?? assist with the development of a work plan, schedule meetings and ensure that work plan objectives are met;

?? provide process orientated training to participants as required;

?? assist Table Members in communicating issues and interests;

?? assist Table Members in negotiations;

?? confirm when consensus is reached (as per section 2.2); and

?? assist Table Members in reaching consensus on a final package of land and resource management recommendations to be forwarded to the MSRM.

6.3   Role of the Government Technical Team

The Government Technical Team (GTT) will support the Table by providing neutral, science-based technical and policy analysis. Information provided by the GTT may include inventories or technical analysis (i.e., analysis that is data and/or expertise driven).

Data management needs will be handled in accordance with the following procedures:

?? all data requests from First Nations and/or sectors should be addressed through the Table to the Process Team;

?? if a First Nation or sector requires clarification on data availability between Table meetings they may contact the Technical Team Coordinator;

?? First Nations and sectors are encouraged to utilize existing resources (Map atlas) and efficient delivery mechanisms (web page, store front computer, digital format) prior to requesting new information;

?? the Technical Team will work in concert with Table Members to ensure that requests for information are appropriate to the needs of the planning process in order to ensure efficient use of resources;

?? data requests will be prioritized based on the order in which the requests are received and timeliness with respect to need to support decisions at the table; and

?? map products will be available in several formats:
- paper maps at 1:250,000 (36x48 in)
- paper maps at 1:1,000,000 (17 x11 in)
- plotfiles in pdf format (CD or webpage)
- digital thematic layers in .e00 format (CD or webpage).

7. WORKING GROUPS

The Table may establish working groups to address specific issues or complete specific tasks. The Table will decide on the need for a Working Group and will specify the terms of reference (i.e., task, time line, deliverables, etc.). Working Groups will strive for a balance of representation among participating First Nations and sectors. Working Groups may include sector Spokespersons, Alternates or other members of sector caucuses. Working Groups will:

?? abide by the Terms of Reference and Ground Rules;

?? be assigned specific tasks and have defined membership;

?? be chaired by a member of the Process Team or Government Technical Team; and

?? document consensus recommendations (including key discussion points) to be presented to the Table.

The Facilitator will ensure that sufficient time is included on agendas to allow for reporting and discussion on recommendations developed by Working Groups.

LRMP recommendations developed by Working Groups must be endorsed by the LRMP Table.

7.1 Procedural Working Group

A procedural Working Group may be established to provide recommendations to the Table on procedural issues including proposed changes to the Ground Rules.

8. MEETING PROCEDURES

Table meetings will be open to all members of the public.

8.1 Meeting Times and Locations

In scheduling meetings, the Table will:

?? consider the work that must be completed;

?? start and finish meetings on time;

?? maintain a balance between LRMP time commitments and personal commitments;

?? respect travel requirements of Table Members; and

?? respect seasonal availability of Table Members.

All LRMP Table meetings will be held within the plan area unless otherwise agreed to by the Table.

8.2 Meeting Summaries and Agendas

The Process Team will be responsible for preparing meeting summaries and agendas. Meeting summaries will describe the issues discussed, key points raised during discussions, agreements reached, and any action items. Where Table Members express significant dissent regarding a proposed agreement, that dissent will be recorded.

At the close of the meetings, action items will be summarized along with agenda items for the next meeting (including major topics of discussion and expected decisions).

The first item of business at each meeting shall be a review and approval of the draft agenda. The second item of business at each meeting shall be a review and approval of the draft meeting summary prepared for the previous meeting.

The Process Manager will distribute meeting summaries and agendas within two weeks after Table meetings. Distribution will be by e-mail, fax or mail to Spokespersons and Alternates. Minutes will also be posted on the LRMP web site.

8.3 Rumour Check

At the beginning of each meeting a "rumour check" will be included as a standing agenda item where Table Members will have the opportunity to briefly share relevant information with the Table or to seek clarification on rumours they have heard. If topics raised during rumour check evolve into lengthy discussions, the Facilitator may recommend that the item be followed up away from the Table or be scheduled as a future agenda item.

8.4 Information Sharing

Table Members who wish to share LRMP related information with other Table Members will endeavour to share it with all Table Members. Information can be distributed by making copies available on the information table at LRMP meetings. Table Members will have an opportunity at the beginning of each meeting to inform other Table Members about information that has been made available. If there is a requirement to distribute information to other Table Members between meetings this may be coordinated through the Process Manager.

8.5 Participant Assistance

MSRM will cover the normal Table or working group meeting participation costs of up to two Table Members (spokesperson and one alternate) in accordance with government's participant funding guidelines. (See Participant Assistance Procedures for further

information.) Attendance at a Table meeting by other members of a sector will occur at the expense of that sector.

MSRM will consider covering reasonable costs (up to $300.00 per annum per sector) incurred by a sector related to organization and distribution of information, administration costs, and costs of in-sector meetings directly associated with its work on the LRMP. Requests to cover such costs must be provided in advance to the Process Manager for prior approval.

MSRM reserves the right to refuse reimbursement of participant costs where the claimant has been absent from the meetings for which they are seeking reimbursement. Where a dispute arises, the record of meeting attendance will be used by the Process Manager as the basis for a decision.

9.   MEDIA AND PUBLIC COMMUNICATION

The Process Manager will be responsible for formal LRMP Table communications including information updates, open houses, and posting information on the internet web site.

Table members will ensure that their representations to the media are respectful of others and are supportive of the process. Table members will describe their points of view as interests rather than positions and will not discuss, criticize or discredit the views of other participants in the process.

If a Table member has a concern with the LRMP process or the way in which issues are being addressed within the process, the member will bring his/her concerns forward to the LRMP Table for resolution rather than expressing them publicly.

The Process Manager will be the government contact for all media inquiries.

ATTACHMENT 1 - **MORICE LRMP TABLE MEMBERSHIP**

Sector/First Nation/ Gov't Agency	Spokesperson	Alternate(s)
Local/Regional Government		
Forest Licensees		
Labour		
Mining		
Agriculture/Ranching		
Tourism		
Non-motorized / Wilderness Recreation		
Motorized Recreation		
Conservation/Environment		
Small Business/ Contract Loggers/ Woodlots		
Fish and Fish Habitat		
Guide Outfitters/Trappers		
Local Sustainability		
Wildlife/Wildlife Habitat		
Office of the Wet'suwet'en		
Lake Babine Nation		
Provincial Government		

ATTACHMENT 2 - TABLE MEMBER SIGNATURE PAGE

The Morice LRMP Ground Rules have been endorsed by all participating First Nations and sectors effective November __, 2002.

First Nation/Sector/Government Agency	Table Member
Local/Regional Government	
Forest Licensees	
Labour	
Mining	
Agriculture/Ranching	
Tourism	
Non-motorized / Wilderness Recreation	
Motorized Recreation	
Conservation/Environment	
Small Business/ Contract Loggers/Woodlots	
Fish and Fish Habitat	
Guide Outfitters/Trappers	
Local Sustainability	
Wildlife/Wildlife Habitat	
Office of the Wet'suwet'en	
Lake Babine Nation	
Provincial Government	