

Barkley Sound Salmon Initiative

DRAFT Terms of Reference (July 2010)

I. Context

Climate change, human population and resource use, pollution, invasive species, and other factors are all contributing to a changing marine environment. The result has been increased variability and uncertainty in resource availability, especially fisheries. Salmon are a keystone species whose life history makes it vulnerable to changes in oceans, nearshore areas, and watersheds. Salmon abundance and sizes have declined in most wild WCVI systems.

Many residents and visitors in Barkley Sound rely on salmon and other fish for food, cultural, recreational and social reasons. Salmon and fish are a keystone in the area's physical, social and cultural fabric.

First Nations rights, treaty obligations, and agreements are changing the access that Nuu-chah-nulth Nations have to salmon and other fish, as well as their role in management. Salmon are an important driver and connector in resource use and governance.

Salmon and fish are critical economic drivers as well, whether in First Nations, tourism, commercial, or community settings. Commercially, increasing environmental awareness and standards have resulted in eco-certification efforts. Several fisheries on the WCVI, including Barkley Sound sockeye, have now been certified by the Marine Stewardship Council. These drivers require increased diligence in planning, management, and audit/evaluation.

A variety of government policies and regulations affect resource utilization on the WCVI. This initiative builds on the Oceans Act and Oceans Action Plan, the Wild Salmon Policy, the provincial Living Water Smart Policy, and other laws and policies.

In this context, the participants in this Initiative have made salmon conservation, production and economic opportunity a high priority for action. These Terms of Reference provide an initial road map for how actions will be developed and implemented.

II. Participation and Linkages

1. A WCA Management Committee (as defined in the WCA terms of reference) will provide direction for the Initiative. It is recommended the Alberni/Barkley Sound Harvest Round Table be used as a foundation given the overlap in membership.

- Huu-ay-aht, Hupacasath, Toquaht, Tseshaht, Uchuklesah, and Ucluelet First Nations
- DFO South Coast and Regional Headquarters
- BC Ministry of Environment; Ministry of Forests and Range; Living Rivers Trust
- Alberni-Clayoquot Regional District
- Port Alberni, Ucluelet, and Bamfield Sport Fishing Committees
- Area D Gillnet, B Seine, G Troll Commercial harvesters, UFAWU, and processing interests
- Alberni Valley Enhancement Association; Thornton Creek Hatchery; Port Alberni Environmental Coalition.
- Forestry companies

2. **Technical support will produce reports and respond to requests for information from the Management Committee or other key groups. It is recommended the existing Nuu-chah-nulth and DFO Joint Technical Working Group be used as a foundation for coordinating technical support. Specific Teams will be drawn from the following based on individual expertise.**
 - Huu-ay-aht, Hupacasath, Toquaht, Tseshaht, Uchuklesaht, and Ucluelet First Nations Fisheries Staff
 - Nuu-chah-nulth Tribal Council Fisheries Program Staff
 - Maa-nulth Fisheries
 - DFO (habitat; stock assessment; enhancement; harvest management; policy).
 - Living Rivers Trust
 - West Coast Aquatic
 - Consultants, researchers, and companies.
3. **Government-to-Government discussions with First Nations will be respected.**
 - Consultations and Negotiations with individual Nations
 - Maa-nulth Joint Management Committee
 - Uu-a-thluk
4. **There will be formal linkages and reporting with existing salmon advisory bodies as well as new planning or policy initiatives**
 - Alberni/Barkley Sound Harvest Round Table.
 - Integrated Salmon Harvest Planning Committee
 - Area Harvest Committees and Commercial Salmon Advisory Board
 - Sport Fishing Advisory Board
 - Clayoquot Salmon Round Table.
5. **Existing Round Tables and Forums will be used to conduct appropriate work and discussions**
 - Alberni/Barkley Sound Harvest Round Table.
 - Somass Water Use Plan Round Table
 - Nahmint Enhancement Team
 - Henderson watershed planning (not current).
 - Alberni-Barkley Integrated Planning Forum
6. **Rules of Conduct and Conflict of Interest Guidelines will be established**
 - Appendix B includes a Draft Charter.

III. Purpose and Scope

7. The parties seek to accomplish the following goal and objectives

Goal: Develop strategies, recommendations and actions that promote healthy and productive salmon populations in Barkley Sound. Healthy salmon populations are interconnected with healthy fisheries, communities and ecosystems.

Objectives:

- a. Build awareness of the context for the Initiative, founded on Hishsukish Tsawalk (Everything is One). This includes building and recognizing
 - i. understanding of the status of salmon and the habitats and ecosystems they depend on, fisheries and other human uses, and key threats and issues, and
 - ii. motivation to undertake appropriate activities.
- b. Build relationships and capacity founded on lisaak (Respect).
- c. Develop strategic plans for stock management, fishery management, and ecosystem management. These plans will need to:
 - be guided by a common vision, values, and principles, and include goals, objectives, and indicators.
 - include specific benchmarks for salmon populations as well as reference points for fisheries, development and ecosystem use, and community health.
 - set priorities and performance criteria, develop options, assess consequences and trade-offs, and make appropriate recommendations and decisions.
 - use the best available information to identify limiting factors, issues, risks, and opportunities for achieving targets.
- d. Implement appropriate projects and actions on an on-going basis.

8. Scope

In 2010-2012 the parties will focus on strategies for Chinook and Sockeye populations in Barkley Sound while considering other salmonids.

The parties recognize that salmon are a keystone species in the ecosystem. The project is therefore closely linked with other common interests such as:

- Developing a coastal ecosystem management plan, including
 - a. Building agreement on a vision, objectives, targets and indicators guiding aquatic resource use and management in Barkley Sound and WCVI.
 - b. Socio-economic and ecological overviews and assessments of key issues, impacts, and drivers.
 - c. Spatial use plans.
 - d. Strategies to increase sustainable benefits, decrease negative impacts, and adapt to key issues such as climate change.
 - e. Monitoring and adaptive management.
- Developing salmon plans in Clayoquot and other coastal areas.

IV. Principles, Process, and Mandate

9. The Initiative will operate based on the principles, process, and decision-making procedures outlined in WCA's Terms of Reference (see Appendix A).

During the Initiative the parties wish to:

- Build stronger relationships and resolve disputes effectively
- Respect and build on informal agreements that are in place.

- Proceed carefully because of the importance of salmon in the area and the history of how different groups have related.
- Describe participants' roles and responsibilities clearly.
- Integrate information and knowledge from local, scientific, government, business, academic, non-government and other sources and develop new information and knowledge as needed.
- Communicate with Nations, communities, businesses, agencies, and non-governmental and educational organizations so that interested parties know what is happening, avoid misunderstandings, and can contribute as appropriate.
- Secure funding and other resources from diverse sources.
- Engage project managers and team members that produce quality work while adhering to timelines and budgets.

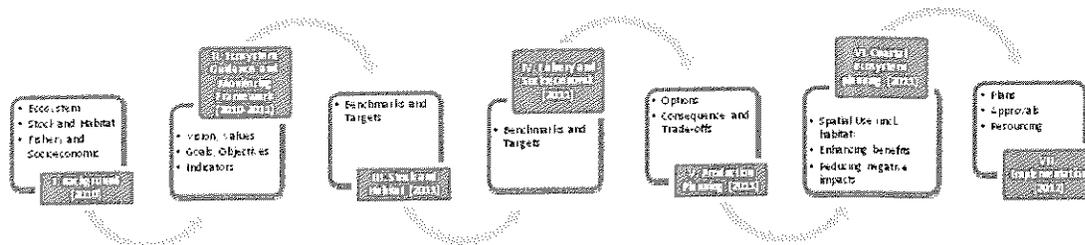
10. Existing Authorities, Jurisdictions, Title and Rights

This document and the establishment of the Initiative will not in any way define or limit any aboriginal title or rights of the participating First Nations, and will be without prejudice to the positions of the parties with respect to aboriginal title or rights.

The Initiative will be subject to the final decision making authority of the responsible ministers of the governments of Canada and British Columbia, as set out by law.

V. Steps and Timeline

In consideration of the above, the parties will secure appropriate resources to complete the following steps. This work will happen in parallel with the coastal ecosystem plan described below.



<i>Subject</i>	<i>Item</i>	<i>Lead</i>	<i>Timing</i>
Background (connected with Coastal Ecosystem Plan described below)	-Ecological and Socioeconomic overviews	-WCA staff -JTWG and consultants	Fall 2010
	-Create understanding of salmon stock and habitat characteristics and status -Background paper on benchmarks.	Stock and habitat technical team of JTWG working with round tables and bi-lateral committees.	Fall-winter 2010

	-Undertake on-going and interim projects and actions.		
	-fisheries economic and cultural values overview. -Background paper on reference points and targets.	Harvest technical team of JTWG working with round tables and bi-lateral committees.	
Develop Ecosystem Guidance Framework: Vision, Values, Goals, Objectives, and Indicators (through Coastal Ecosystem Plan described below)	Science review and research; Surveys; Peer review.	WCA staff working with scientists and experts.	Fall 2010
	Review of existing vision, values, goals and objectives in government and sector strategic plans, policies, and legislation.	WCA staff working with scientists and experts	Fall 2010
	-Conduct interviews -Compile and identify themes -Reflect draft vision and value statements for individuals participant groups	WCA staff with First Nations, Sectors, Communities, Organizations	Fall 2010
	Verify with participants	WCA staff with First Nations, Sectors, Communities, Organizations	2011
	-Develop draft integrated ecosystem guidance and monitoring framework.	WCA staff	2011
	-Discuss and work towards consensus -Report on Areas of Agreement and Disagreement	WCA with Management Committee and Alberni Barkley Integrated Forum	2011
Salmon and habitat benchmarks, reference points and targets, and criteria for assessing options	Review stock backgrounders and request further information; develop interest statements	First Nations Sectors Communities Organizations With technical support	Fall-winter 2010
	Analysis of interest statements; review in relation to consequences; discuss with participants	Stock and Habitat Technical Team	2011
	Work towards consensus; Report on Areas of Agreement and Disagreement.	Management Committee	2011
Fishery and	Review fishery/socioeconomic	First Nations	Fall-winter

socioeconomic benchmarks, reference points and targets, and criteria for assessing options	backgrounders and request further information; develop interest statements	Sectors Communities Organizations With technical support	2010
	Analysis of interest statements; review in relation to consequences; discuss with participants	Fishery and Socioeconomic Technical Team	2011
	Work towards consensus; Report on Areas of Agreement and Disagreement.	Management Committee	2011
Production Planning	-Review current approaches and identify threats, limiting factors, issues, etc. -Review proposed targets and benchmarks. -Develop options for improving outlook for salmon and undertake interim actions.	JTWG working with bilateral management committees and watershed roundtables.	Fall-winter 2010
	1 st draft Options Paper	Production Technical Team	2011
	Review and discuss	Participants; then Management Committee	2011
	2 nd draft Options Paper	Production Technical Team	2011
	Work towards consensus; Report on Areas of Agreement and Disagreement	Management Committee	2011
Fishery Management Planning	Review current approaches and identify threats, limiting factors, issues, etc. Develop options for improving outlook for fisheries and undertake interim actions.	JTWG, supported through bilateral management committees, roundtables, etc..	Fall-winter 2010
	1 st draft Options Paper	Harvest Technical Team	2011
	Review and discuss	Participants; then Management Committee	
	2 nd draft Options Paper	Harvest Technical Team	
	Work towards consensus; Report on Areas of Agreement and Disagreement	Management Committee	2011
Implementation Planning	Develop implementation plans as appropriate	Project Management Team	2012
	Review and ratify	Management Committee, WCA, and Governments	2012

VI. Deliverables

Stock and Habitat Health

A Stock and Habitat Assessment Team will produce a report answering the following questions.

- What is the productive capacity (approximate natural range of stock abundance) for Chinook and Sockeye stocks in Barkley Sound and what is their current status? (status categories to be determined by technical team).
- What is known about the characteristics of each stock (run timings, wild vs. enhanced, etc.)?
- What are appropriate conservation benchmarks and indicators for stocks?
- What are the escapement goals required to meet conservation thresholds?
- What are the key issues limiting stock health and production in each life cycle stage?
- What are key information gaps and what improvements are needed to Barkley stock and habitat assessment programs to address them?

The report will be delivered to the participants for their use in discussing targets and benchmarks.

Notes:

- It is understood that data limitations will make it impossible to provide detailed information on all stocks and watersheds.
- Local knowledge or expert opinion may be used to fill in data gaps as long as it is noted as such.
- Stocks may be grouped by area or type to address data/knowledge gaps.
- Information for each stock will ideally be summarized in one or two page sheets using a standard layout. Information for all stocks will ideally be summarized in maps and other visual media.
- Issues affecting salmon health and habitat should be identified as being best addressed through stock/habitat, production, harvesting, or coastal planning groups.

Benchmarks and Targets

Individual Nations will develop plans for their territories outlining

- What are appropriate benchmarks for Chinook and sockeye health in Barkley Sound?
- What are the targets for meeting their rights and Treaty obligations?
- What are the preferred targets for wild and enhanced Chinook and sockeye production?
- What options or strategies are being undertaken or are proposed to meet targets? What criteria is being used to assess options?

Recreational and commercial sectors and communities will individually develop plans for their sectors outlining

- What are appropriate benchmarks for Chinook and sockeye health in Barkley Sound?
- What are the targets for opportunity and viability?
- What are the preferred targets for wild and enhanced Chinook and sockeye production?
- What options or strategies are being undertaken or are proposed to meet targets? What criteria is being used to assess options?

Stewardship and conservation groups will develop plans outlining

- What are appropriate benchmarks for Chinook and sockeye health in Barkley Sound?
- What are the preferred targets for wild and enhanced Chinook and sockeye production?
- What options or strategies are being undertaken or are proposed to meet targets? What criteria is being used to assess options?

These will be assembled by the Project Management Team and analyzed for divergence and overlap. They will then be brought forward to the Management Committee for discussion. The Project Management Team will capture areas of consensus and divergence in a draft report answering the following questions.

- What are appropriate benchmarks for Chinook and sockeye and those dependent on them in Barkley Sound? For example,
 - Conservation (protecting genetic diversity and integrity; productive capacity of stocks; etc.)
 - First Nations rights and Treaty obligations
 - Recreational opportunity
 - Commercial viability
 - Benefits to Canadians, especially coastal communities
- What are some short, medium, and long-term targets¹ associated with each of the objectives?
- What are the targets for wild and enhanced Chinook and sockeye production in Barkley Sound?
- What criteria will be used to assess options? (Another way of saying this is ‘what information should technicians supply about different options for reaching the targets?’ (cost, timeline, likelihood of success, risks, fit within existing policy, affect on wild stocks, affect on economic and social values, etc.).)

Salmon Production

A Production Technical Team will produce a report answering the following questions.

- What options are available to meet the benchmarks and targets for Chinook and sockeye production in Barkley Sound?
- What are the consequences and implications of each option in relation to the criteria given to the technical team?

The report will be provided to participants. They will then convene in the Management Committee to discuss the options. The results of the discussion will be summarized in areas of agreement and disagreement.

Harvest Management

A Harvest Technical Team will produce a report answering the following questions.

- What harvesting options are available to meet the targets for Chinook and sockeye harvesting in Barkley Sound?
- What are the consequences and implications of each option in relation to the criteria given to the technical team?

¹ Definition: “A Target Reference Point indicates to a state of a fishing and/or resource which is considered to be desirable and at which management action, whether during development or stock rebuilding, should aim.” (Caddy and Guland). Targets in the Barkley Sound situation should include timelines.

The report will be provided to participants. They will then convene in the Management Committee to discuss the options. The Harvest Technical team will reflect the consequences of various options to participants. Based on the Technical Team’s report, the Management Committee will produce a report answering the following questions:

- What decision rules² will apply to harvesting on
 - Stocks where there is a directed harvest
 - Stocks caught as by-catch
- How will pre-season and in-season communication and decision-making occur?
- What selective fishing methods can be used to avoid stocks of concern and unintended mortalities?
- What tools are available to increase the value of harvested fish?
- What monitoring and enforcement methods and strategies are necessary?

The results of the discussion will be summarized in areas of agreement and disagreement.

Coastal Ecosystem Plan

WCA is working with governments and sectors to develop a broader coastal ecosystem plan in Barkley Sound. The plan will address the following questions:

- Overview: What are the main cultural, economic and ecological characteristics of the area? What are the governance arrangements? What are some key trends?
- Vision, Values, Goals, Objectives, Indicators: What is our vision, values, and principles in terms of how we relate to each other and the marine environment? What are the social, economic, and ecological goals and objectives that will guide marine ecosystem management? What are the key indicators and targets?
- Issues and Impacts: What are the issues, activities or processes that separately and together impact our indicators and targets? What is the nature and scale of impacts? How might this change in the next ten to twenty years?
- Spatial Use Planning: What arrangement of activities in time and space will best meet our targets (reduce negative impacts and increase positive impacts)?
- Non-Spatial Planning: What incentives, strategies, information, and tools can help meet our targets (reduce negative impacts and increase positive impacts)?
- Implementation: How can spatial and non-spatial strategies be implemented adaptively?

The overview and ecosystem guidance and monitoring items are noted in the table above. The others are listed below.

Ecosystem/ Marine Plan			
Issues and Impacts	•	Priority Issues List	WCA planning team, Fall 2010

² Decision rules state what happens (who harvests, how much, how, where, when) at different forecasted and in-season abundances.

	<ul style="list-style-type: none"> Economic outlooks and opportunities Impact overviews Cumulative impact assessment 	consultants, and partners	
Spatial Use Planning	<ul style="list-style-type: none"> Data collection Local knowledge mapping GIS analysis 	WCA planning team, consultants and partners	Summer-Fall 2010
	<ul style="list-style-type: none"> Scenarios Trade-Offs 	Alberni Barkley Forum WCA Government-Government	Winter 2011
	Report on Areas of Agreement and Disagreement	WCA	Spring – Summer 2011
Non-Spatial Use Planning	<ul style="list-style-type: none"> Community dialogue forums Management Committees Project teams 	WCA	Fall 2010-Fall 2011
Implementation	Implementation plan	WCA	Summer-Fall 2011
	Plan sign-off	Relevant governments and parties	Winter 2012

Further details are available through WCA.

VII. Roles and Responsibilities

<i>Body</i>	<i>Roles and Responsibilities</i>	<i>Participants</i>
Governments	<ul style="list-style-type: none"> -Sign off on Project -Review recommendations and make final decisions -Bi-lateral consultation and negotiation -Direct appropriate program, funding, and staff resources -Provide appropriate policy response and direction -Foster atmosphere and culture conducive to successful project completion and implementation 	Huu-ay-aht, Hupacasath, Toquaht, Tseshaht, Uchuklesah, Ucluelet DFO, Parks Canada and other agencies BC Ministry of Environment; Forests and Range; other ministries Alberni-Clayoquot Regional District

WCA	<ul style="list-style-type: none"> -Develop an integrated ecosystem plan for the area -Summarize areas of consensus and divergence at round tables and seek resolution opportunities -Engage the public about issues and decisions -Develop partnerships and facilitate integration -Project design and oversight of delivery -Provide templates and best practices 	Government leaders and staff Sector leaders with experience, knowledge and base of support Staff
Management Committee	<ul style="list-style-type: none"> -Identify issues, opportunities, and priorities -Determine specific targets -Set criteria for evaluating options -Request technical options as needed -Review options and work towards consensus -Address interim issues and planning as needed 	Government and sector leaders or representatives
Technical Teams	<ul style="list-style-type: none"> -Gather and analyze information -Produce and analyze options -Make recommendations upon request 	Government and sector technical staff, consultants, university staff and students, companies
Integrated Salmon Harvest Planning Committee	-Ensure salmon fishing plans from various areas are coordinated and integrated, identify potential conflicts, and if there are disputes, make recommendations for solutions	Government staff and salmon sector representatives
Project Management Team	<ul style="list-style-type: none"> -Provide professional, neutral support services to all of above (admin, project management, fundraising, communications, facilitation, evaluation, etc.) -Pursue areas of synergy¹ (ecosystem science, engagement, information system, etc.). 	WCA and government staff and contractors
Alberni Barkley Integrated Planning Forum	<ul style="list-style-type: none"> -Updates and feedback on key reports and initiatives -Set priorities for coming year -Find opportunities to integrate initiatives -Networking and communication 	Government program staff leading or key players in various initiatives

Appendix A: WCA Terms of Reference: Principles, Process, and Decision-Making Procedures

Principles

The work of the Board and Management Committees will be governed by the following principles:

Hishukish Ts'awalk and Isaak

Aquatic resources should be managed on an ecosystem basis, which is consistent with the principles of Hishukish Ts'awalk and Isaak.³

Conservation

The protection, maintenance, and rehabilitation of aquatic resources, their habitats, and interconnected life support systems, should take precedence in managing aquatic resources, to ensure ecosystem sustainability and biodiversity. A 'conservation-first' approach will help ensure that aquatic resource use is conducted in an environmentally sustainable manner.

Precautionary Approach

Decision-makers should err on the side of caution when making conservation and resource management decisions. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Adaptive Management

Aquatic resource management decision-makers should integrate relevant local knowledge, together with appropriate ecological, social, and economic information, with the goal of continual improvement.

Sustainability

Sustainability is the use of aquatic resources such that the ecological, social, and economic factors are considered and balanced, while ensuring that current activities do not affect the potential for future generations to sustain themselves.

Shared Responsibility

The governments, coastal communities, and other persons and bodies affected by aquatic resource use are together responsible and accountable for integrated aquatic resource management.

³ The Nuu-chah-nulth phrase Hishukish Ts'awalk (pronounced 'he-shook-ish tsa-walk') means 'everything is one'. Isaak (pronounced 'e-sock') means 'respect'. These phrases embody an understanding that all things are sacred and nothing is isolated from other aspects of life surrounding and within it. This concept contributes to a value system that promotes the need to be thrifty, not to be wasteful, and to be totally conscious of one's actual needs when interacting with others.

The belief underlying these two principles is that the goal in interacting with other people or species is not to maximize personal benefit, but to produce mutually beneficial outcomes. These outcomes arise from understanding and respecting the needs of other people or species, and recognizing an essential 'oneness' or interconnection with other people or species.

The responsibility for integrated management decisions should coincide with the ecological unit, nature of the issue, the scale of impact, the ability to collect relevant information, and management capacity. There should be effective communication, information flow and linkages between various levels.

Inclusivity

Coastal communities and other persons and bodies affected by aquatic resource management should have an opportunity to participate in the formulation and implementation of integrated aquatic resource management decisions. The participation of coastal communities and other persons and bodies affected by aquatic resource management will promote improved decisions.

Benefits

Aquatic resources offer significant opportunities for economic diversification and the generation of wealth for the benefit of all Canadians, and in particular for coastal communities. Internal and external costs and benefits (including social, ecological, and economic) should be appropriately considered when making decisions related to aquatic resources.

Flexibility

Integrated aquatic resource management is a continuous process. Administrative structures and processes should be flexible and expected to evolve, and grow, to accommodate the management process.

Process

1. The Board and its management committees will work cooperatively in shared decision-making processes to achieve the Board's objectives and responsibilities.
2. Shared decision-making means that on a certain set of issues, for a defined period of time, those with authority to make a decision and those who will be affected by that decision will jointly seek an outcome that accommodates the interests of all concerned. The outcome of the process is a recommendation to the appropriate statutory authority, except in the case of a specific assigned responsibility, where the outcome of the process is a decision. Shared decision-making does not fetter the discretion or affect the legal authority of the participating governments.
3. The members of the Board and its management committees will seek integrated outcomes based on interests (the desires, needs, concerns, fears or hopes that underlie a negotiating position) rather than positions and demands. An integrated outcome is one in which the members work together — integrating their resources, creativity and expertise.
4. The members of the Board and its management committees will fully explore all the matters at issue with a view towards seeking an outcome that accommodates the interests of all concerned. In that regard, members will seek to
 - clearly articulate the interests of their constituents
 - listen carefully, ask pertinent questions and educate themselves regarding the interests of other members whether or not they are in agreement with them
 - identify solutions that meet the interests of the other members as well as their own
 - ensure outcome is consistent with Board Principles and Objectives.

5. The members of the Board and its management committees will allow each other the freedom to test ideas without prejudice to future discussion or negotiations and will not hold tentative ideas or exploratory suggestions against those who made them. Discussion papers and other materials prepared for this purpose and identified as confidential will be treated as such.

Decision-Making

6. The members of the Board and its management committees will make decisions by consensus.
7. Consensus means an agreement that the members can live with. The members may not agree with every aspect, but taken as a whole, a decision based on consensus satisfies the major interests and concerns of the members to the extent that all can support it.
8. All agreements reached during discussion of an issue are tentative pending consensus on the total package of agreements necessary to resolve the issue, unless the members explicitly agree otherwise on a specific item.
9. When the Board or a management committee reaches a consensus on the resolution of an issue, it is understood that some members will have to take the agreement back to their constituencies or to a higher decision-making authority for ratification. Members will not agree to anything that they do not believe will be supported by their constituencies. It is understood that agreement obliges members to strongly represent the benefits of the agreement to their constituents.
10. An agreement ratified pursuant to paragraph 19 constitutes a consensus recommendation of the Board or management committee, except in the case of assigned responsibility, where the agreement will constitute a consensus decision.
11. The Board will submit its consensus recommendations to the appropriate statutory authority.
12. Management committees will present their findings and recommendations to the Board. These will be included in a report from the Board to the appropriate statutory authority.
13. The statutory authority will provide a timely, written response to the Board's recommendations.
14. Should the members of the Board or a management committee reach a consensus on a set of recommendations that resolves most but not all of the issues that are being addressed, they will actively seek agreement on a statement describing the areas of disagreement, any lack of information or data that prevents such agreement and, where possible, a process for achieving agreement on such issues. With respect to the issues on which a member withholds agreement, that member is responsible for explaining how its interests are adversely affected or how the proposed agreement fails to meet those interests. The member withholding agreement must propose alternatives and the other members must consider how all interests may be met. If agreement is still not reached, the concerns of all members will be included in a written report to the appropriate statutory authority, or, in the case of a management committee, to the Board.

Appendix B: Draft Charter

The draft Charter below is from the DFO Policy to Govern Advisory Bodies. As new participants become involved with the Initiative, they must familiarize themselves with the Charter.

Participation involves responsibilities. Parties that participate should do so in good faith and with the public interest as well as their own interest in mind. Participants also have a responsibility to engage in effective, balanced and civil communication. All representatives have a responsibility to ensure that they are accountable to their constituents, and that processes operate as efficiently and effectively as possible.

Participants should:

1. Maximize the exchange of information among parties and minimize misunderstandings by:
 - speaking clearly, listening carefully and asking for clarification if a point is not understood;
 - sharing information related to the issues at hand;
 - stating concerns about other participants or the process openly and directly;
 - clearly explaining what is important to them and why;
 - stating their perspective as concisely and briefly as possible; and
 - ensuring proper opportunity to clarify the agenda prior to the commencement of meetings.
2. Ensure that all participants have the opportunity to speak and all perspectives are taken into account by:
 - seeking the participation of all interests; and
 - providing opportunities for affected parties to be heard before making a decision.
3. Maintain a respectful atmosphere by:
 - respecting each others' values and interests;
 - avoiding accusatory language, rude behaviour and stereotyping;
 - listening to what others have to say without interrupting;
 - beginning meetings on time;
 - seeking a better understanding of other perspectives with an open mind; and
 - leave personal views on a particular issue "at the door".
4. Ensure accountability to constituencies by:
 - making every effort to attend all important consultation meetings, or sending an alternate as agreed upon by constituents;
 - establishing clear lines of accountability with those they represent, and with other representatives;
 - acting in accordance with the authority granted by constituents and ensuring that other representatives understand this authority;
 - communicating pertinent information to their constituencies regularly and seeking support for negotiated agreements;
 - acting quickly to raise and resolve any concerns regarding the accountability of the process or any of the representatives to protect the integrity and trust of the group.

5. When negotiating, facilitate agreements across the full spectrum of interests by:

- negotiating in good faith, building as much agreement as possible;
- avoiding participation in activities that may undermine the negotiation;
- focusing on underlying interests or objectives rather than positions and seek to understand the interests of others;
- recognizing the legitimacy of all interests;
- treating issues as problems to be solved not as personal or sectoral conflicts;
- allowing representatives the freedom to test ideas without prejudice to future discussion or negotiations — do not hold tentative suggestions or agreements against those who made them;
- seeking creative solutions that accommodate all interests; and
- positively supporting consensus agreements once they have been reached.

6. Engaging in appropriate external communication by:

- ensuring that descriptions of the process and the views of other representatives are accurate and acceptable to all representatives before communicating them to the general public or the media;
- ensuring that contact with the media is respectful of others.