



Forest  
Practices  
Board



# ANNUAL REPORT 2016/2017



ILLUSTRATION AND DESIGN BY:  
ANDRÉ VAILLANT  
[WWW.ANDREVAILLANT.COM](http://WWW.ANDREVAILLANT.COM)

# WHAT WE DO

THE BOARD HAS DEFINED THE FOLLOWING VALUES AND GUIDING PRINCIPLES TO ASSIST IT AND STAFF IN IMPLEMENTING ITS ROLES AND RESPONSIBILITIES.

## MANDATE

The Board's main roles under the *Forest and Range Practices Act* are:

- auditing forest practices of government and licence holders on public lands;
- auditing government enforcement of the *Forest and Range Practices Act* and the *Wildfire Act*;
- investigating public complaints;
- undertaking special investigations of forestry and range issues;
- participating in administrative appeals; and
- providing reports on Board activities, findings and recommendations.

## FUNDAMENTAL PURPOSES

In fulfilling its mission, the Board encourages:

- sound forest and range practices that warrant public confidence;
- fair and equitable application of the *Forest and Range Practices Act* and the *Wildfire Act*; and
- continuing improvements in forest and range practices.

## VALUES AND GUIDING PRINCIPLES

The Board will:

- represent the public's interests, not those of any single group;
- be accessible and non-adversarial;
- treat all people with respect, fairness, and sensitivity;
- be unbiased and non-partisan;
- try to solve problems rather than find faults;
- carry out its mandate with integrity, cost-efficiency, and accountability;
- base deliberations and decisions on knowledge, experience, and common sense;
- provide timely, clear, and concise reports to the public; and
- contribute to continuing improvements in forest and range planning and practices.



# CHAIR'S MESSAGE



Fiscal 2016-17 was another productive year for the Board. We published 28 reports, carried out 10 new audits, received 13 new complaints from the public, and started work on 2 new special projects. All of this work is done with the same budget allocation we have had for over 12 years now – \$3.8 million.

Four of the published reports included recommendations for improvement. We also received responses to outstanding recommendations from five previous reports. Overall, most of our recommendations have been implemented, or we have commitments from the Ministry of Forests, Lands and Natural Resource Operations that they will be implemented.

In general, the Board has found that larger forest companies tend to perform better than small operators, likely because they have more expertise and capacity. However, there are always exceptions and some large companies run into issues while some small operators do a great job managing their tenure. In order to encourage improvements by all types of licensees, we have been highlighting the better practices we see in our fieldwork and, in 2017, we published a calendar to highlight 12 of the better practices we saw in 2016.

In terms of the findings of our work this year, there are two main forest practices where improvements are needed. The first is that we continue to see licensees, including certified companies that are not meeting the legal requirements to complete fire hazard assessments following logging. Eight of the 16 forestry audits published this year found this to be a problem, five of which would have been clean audits if not for the lack of fire hazard assessments. The other main area for improvement is meeting visual quality objectives (VQOs). Not only did our special investigation of visual quality in Port Alberni reveal problems, but two of the new complaints this year are about compliance with VQOs. Staff are also dealing with four new concerns about VQOs.

I spent a significant amount of time this year meeting with stakeholder groups, licensees, communities and members of the public. One of the most consistent issues I heard about from all sectors was professional reliance. Concern arises because much of the discretion previously held by government is now held by forest licensees. In many instances where tradeoffs are being made, forest licensees and their professionals are being asked to make decisions that are the responsibility of government. There is a role for government in professional reliance and it is not to stand back and watch. For professional reliance to succeed it will require leadership and collaboration from professionals, industry and government.

Looking ahead in 2017-18, the Board will continue to focus its efforts on promoting stewardship of BC's forest and range resources, encouraging government to examine what aspects of the *Forest and Range Practices Act* need to be adjusted, and identifying the necessary policy and regulatory changes to ensure licensees are achieving government's stated objectives and meeting the public's expectations for forest and range stewardship.

In closing, the Board very much appreciates the cooperation of all parties in its audits, investigations and reports. I think we all share the same goal of continuous improvement.

All the best,

Timothy S. Ryan, RPF  
Chair

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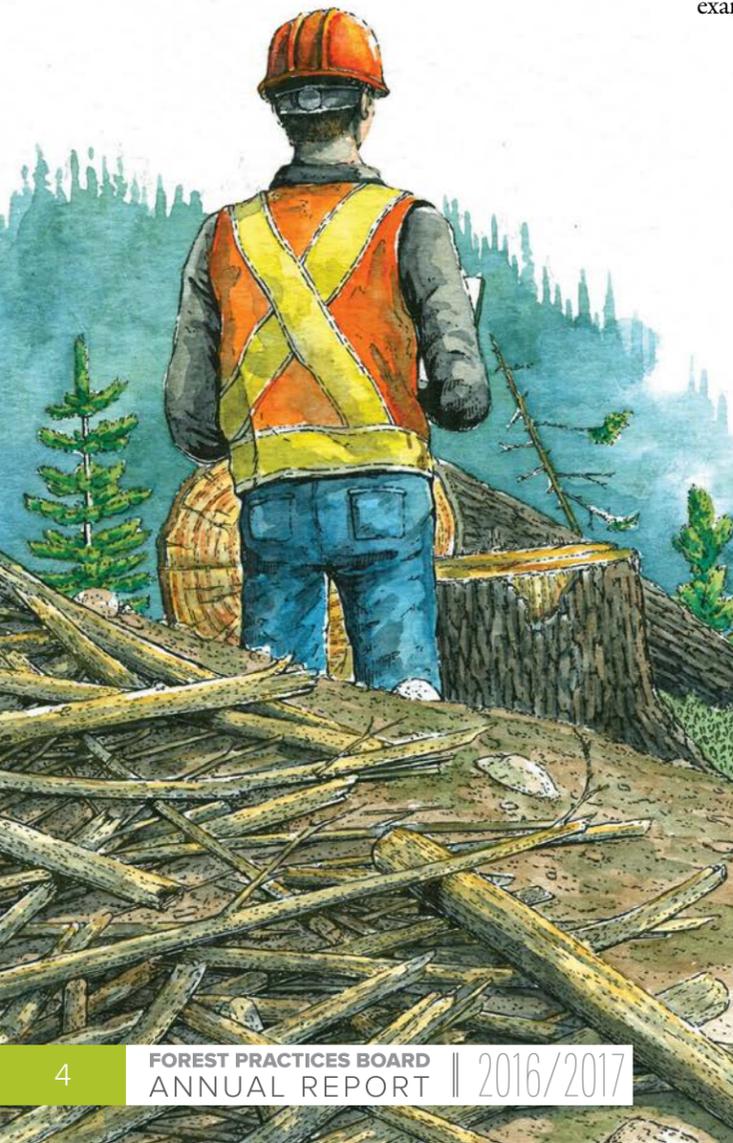
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# PROMOTING STEWARDSHIP

In our Stewardship Bulletin (2015), the Board said we would point out examples of stewardship, evaluated against the principles set out in the bulletin, in order to foster discussion and to promote improved performance from licensees, managers, practitioners and users of BC's forests, rangelands and resources.

During 2016, Board staff observed forest practices that reflect some of the stewardship principles in the bulletin. A number of these practices were featured in our 2017 calendar, which was distributed to our stakeholders. A few examples are highlighted here.



## STEWARDSHIP

### THE FOREST PRACTICES BOARD DEFINES STEWARDSHIP AS:

*Ensuring responsible resource use today, while maintaining the health of the land for future generations.*

### CULTURALLY MODIFIED TREES (CMTs) & VISUAL RESOURCES

A licensee was constructing a road and dry land sort in the only practical location. There were some CMTs on site, to which First Nations elders wanted easy access for educational purposes. The licensee constructed a trail access point so that elders could get to the trail from the road, and carefully moved the CMTs to a nearby area where they can be viewed. The dry land sort is in an area used by kayakers and visible up the inlet from a provincial park. The licensee designed the sort to minimize the visual impact. It has one narrow slot down to the beach for loading barges with logs and the working/sorting area is screened with standing timber.

### FOREST HEALTH

A licensee established a mixed species plantation to minimize the impact of Warren root collar weevil on lodgepole pine. The stand still meets free-growing criteria based on the number of healthy Douglas-fir, white spruce and western larch that were unaffected by this pest. A pure pine stand would have been devastated. The licensee is also aggressively managing Douglas-fir bark beetle populations, including use of funnel traps that capture beetles before they can attack living trees. The traps are baited with pheromones and use an insecticide strip to prevent the beetles from escaping.

### MAPPING & PROTECTING CULTURAL RESOURCES

A licensee spent a considerable amount of time locating and mapping cultural resources in cutblocks in order to meet the requirements of a land use objectives order (LUO). Culturally significant plant species identified in the LUO include individual stems and patches of yew and crabapple, CMTs and cedar. The licensee planned retention for species representation and retention of CMTs and monumental trees. It also did a thorough job in identifying and protecting these species while harvesting.

# THE BOARD



Dr. William McGill, Marlene Machmer, Ralph Archibald, Tim Ryan, Ken Higginbotham, and Norma Wilson.

## BOARD APPOINTMENTS AND REAPPOINTMENTS

In November 2016, Board member Bill Dumont completed his appointment to the Board, after serving the maximum of six years. Angeline Nyce completed her two-year term with the Board and did not seek reappointment due to other commitments.

Also in November 2016, Ken Higginbotham was appointed to the Board for a two-year term.

At the same time, Tim Ryan was reappointed for another year as Board chair and members Marlene Machmer and Norma Wilson were both reappointed for two-year terms.

Board members Ralph Archibald and Bill McGill continued their terms, with both appointed until November 2017.

## BOARD MEETINGS

The Board met 11 times during the year, including 7 conference call meetings, 3 face-to-face meetings in Victoria and 1 face-to-face meeting in Port Alberni on Vancouver Island. Panels of the Board also met throughout the year to deal with specific audit and investigation files.

While in Port Alberni, the Board took the opportunity to look at forestry activities on public and private land and learn about how licensees and land owners are exercising stewardship of forest resources. They met with representatives from the Private Forest Landowners Association, the Managed Forest Council, Vancouver Island University Woodlot, Island Timberlands, TimberWest, and the Huu-Ay-Aht First Nation to view forestry operations and hear about their issues, challenges and solutions. The Board also met with the South Island district manager from the Ministry of Forests, Lands and Natural Resource Operations and the Mayor of Port Alberni.

# FINANCIAL REPORT

	BOARD MEMBERS & EXECUTIVE	INVESTIGATIONS	AUDITS	LEGAL	COMMUNICATIONS	ADMINISTRATION & OVERHEAD	TOTAL
<b>SALARIES &amp; BENEFITS</b>	376,648	643,143	649,848	198,913	193,802	265,016	<b>2,327,370</b>
<b>OTHER OPERATING COSTS</b>	105,444	128,407	352,242	979	32,656	865,738	<b>1,485,466</b>
<b>TOTAL OPERATING EXPENDITURES</b>	482,092	771,550	1,002,090	199,892	226,458	1,130,754	<b>3,812,836</b>
<b>TOTAL CAPITAL EXPENDITURES</b>	-	-	-	-	-	-	-
<b>TOTAL EXPENDITURES</b>	482,092	771,550	1,002,090	199,892	226,458	1,130,754	<b>3,812,836</b>
<b>BUDGET</b>							<b>3,814,000</b>

## NOTES:

1. “Board Members and Executive” expenditures cover those of the Chair of the Board, the part-time Board members, the office of the Executive Director, and staff providing direct support to the Board members.
2. “Legal” expenditures covers legal advice on all files of the Board, including reviews and appeals.
3. “Administration and Overhead” includes building occupancy charges, software licensing, centralized support charges, and salaries associated with support for corporate services and information systems.

# APPEALS

- **DETERMINATIONS REVIEWED – 29**
- **APPEALS INITIATED BY THE BOARD – 1**
- **APPEALS JOINED BY THE BOARD – 2**

**THE BOARD MAY APPEAL CERTAIN DECISIONS MADE BY GOVERNMENT OFFICIALS, SUCH AS DETERMINATIONS OF NON-COMPLIANCE, PENALTIES OR APPROVALS OF PLANS FOR FORESTRY OR RANGE OPERATIONS, TO THE FOREST APPEALS COMMISSION (FAC). WHEN INITIATING AN APPEAL, THE BOARD ACTS AS AN ADVOCATE FOR THE PUBLIC INTEREST. THE BOARD CAN ALSO BECOME A PARTY TO APPEALS LAUNCHED BY OTHERS (SUCH AS LICENSEES) IN ORDER TO MAKE SUBMISSIONS ON THE CASE.**

Between April 2016 and March 2017, the Board reviewed 29 contravention determinations made under the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act* (WA). Of the 29 determinations, 7 were appealed, and the Board joined 1 of the appeals, which involved compensation for damages to wildlife habitat. In addition, the Board participated in a hearing for an appeal that commenced the previous year, involving visual quality in a scenic area on the BC coast. The Board also initiated an appeal of one determination, arguing that the administrative penalty was too low.

## INTERFOR CORPORATION

In August 2015, the Board joined an appeal brought by Interfor Corporation (Interfor) concerning a determination that it had not met the visual quality objective (VQO) of “partial retention” when logging a cutblock on Stuart Island, near the entrance to Bute Inlet. Interfor was fined \$20,000 because this was its second contravention of this type, and appealed to the FAC.

Interfor asked the FAC to overturn the determination on the basis that it had met the VQO, or if not, it had exercised due diligence in its planning and harvesting. The Board joined the appeal as a third party. The Board did not take a position on whether Interfor had met the VQO, but made submissions on factors to consider when evaluating compliance and deciding whether a licensee has exercised due diligence in its planning and harvesting of timber in a scenic area.

The FAC dismissed Interfor’s appeal. This decision provides helpful guidance for forest companies interpreting and applying the visual quality rules in scenic areas.

## M.G. LOGGING & SONS LTD.

In April 2016, the Board appealed a determination in which a timber sale licence holder in the Prince George area was levied a penalty of \$3,500 after contravening requirements in the timber sale licence to leave Douglas-fir trees standing for wildlife and other purposes. The licence holder had cut 522 Douglas-fir trees in total, 135 of which were cut after the licensee had been told by government staff that the trees were to be left standing. The Board was concerned that the penalty was too low to act as a deterrent, and did not adequately compensate the public for its loss of wildlife trees. The Board also raised questions about the ability of a district manager to consider previous contraventions by related companies with the same sole director.

The FAC increased the penalty to \$27,000—\$6,000 of which was to reflect administrative justice goals of deterrence, and \$21,000 to compensate the public for lost wildlife values. In arriving at the compensation amount, the FAC considered the value of stumpage that the Province was willing to forego by requiring that the trees be left (\$10,500) and doubled it. The FAC also confirmed that previous contraventions by closely held companies may be considered by a district manager, so long as the contravening party has been given advance notice and is given a fair opportunity to respond.

## CANADIAN NATIONAL RAILWAY

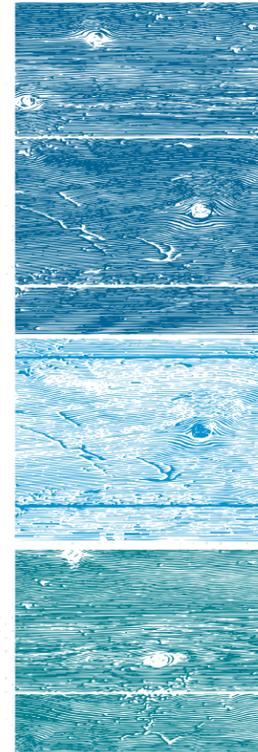
In August 2016, the Board joined an appeal brought by Canadian National Railway concerning damages assessed under the *Wildfire Regulation* for a wildfire north of Williams Lake. The regulation sets out procedures for determining how much compensation is due to the Province from a person who caused or contributed to a wildfire, for harm to timber, other forest land resources, grass land resources and other property. The Board joined as a third party to provide the FAC with submissions concerning compensation for damage to mule deer winter range. The hearing concluded in March 2017, and the FAC’s decision had not yet been issued as of March 31, 2017.



# AUDITS

THE BOARD AUDITS FOREST AND RANGE PLANNING AND PRACTICES ON PUBLIC LAND FOR COMPLIANCE WITH THE FOREST AND RANGE PRACTICES ACT (FRPA) AND THE WILDFIRE ACT (WA). IT ALSO AUDITS THE APPROPRIATENESS OF GOVERNMENT ENFORCEMENT OF THESE ACTS. IT CAN MAKE RECOMMENDATIONS FOR IMPROVEMENT TO PRACTICES AND LEGISLATION. AUDITORS OBJECTIVELY COLLECT AND EVALUATE EVIDENCE TO DETERMINE IF FORESTRY AND RANGE ACTIVITIES ARE CONSISTENT WITH THE LEGISLATION AND OPERATIONAL PLANS. THEY ALSO CHECK THAT ACTIVITIES ARE CONSISTENT WITH GOVERNMENT OBJECTIVES FOR FOREST RESOURCES.

- **RECOMMENDATIONS IMPLEMENTED – 1**
- **NEW AUDITS STARTED – 10**
- **AUDITS COMPLETED AND PUBLISHED – 18**
  - WITH AT LEAST ONE AREA OF IMPROVEMENT – 8
  - NO ISSUES – 5
  - WITH AT LEAST ONE NON-COMPLIANCE – 5



## COMPLIANCE AUDITS STARTED IN 2016

1. **SN FORESTRY OPERATIONS LTD. – FLTC A82551**  
*Sea to Sky Natural Resource District*
2. **CANADIAN FOREST PRODUCTS LTD. – TFL 14**  
*Rocky Mountain Natural Resource District*
3. **BCTS STUART-NECHAKO BUSINESS AREA**  
*Vanderhoof Natural Resource District*
4. **TUMBLER RIDGE COMMUNITY FOREST CORP. AND LITTLE PRAIRIE COMMUNITY FOREST INC.**  
*Peace Natural Resource District*
5. **CHU CHO INDUSTRIES LP – NRFL A62375**  
*Mackenzie Natural Resource District*
6. **BCTS OKANAGAN-COLUMBIA BUSINESS AREA**  
*Okanagan Shuswap Natural Resource District*
7. **HUSBY FOREST PRODUCTS LTD. – FL A16869**  
*Haida Gwaii Natural Resource District*
8. **NORBORD INC. – NRFL A81492 AND A84592**  
*100 Mile House Natural Resource District*
9. **CANADA RESURGENCE DEVELOPMENTS LTD. – FL A16884**  
*Coast Mountain Natural Resource District*
10. **FIVE RANGE TENURES: RAN077532, RAN077579, RAN077495, RAN077496, RAN077749**  
*Thompson Rivers Natural Resource District*

## ACTIVITIES AUDITED IN THE FIELD

ACTIVITIES AUDITED IN THE FIELD	POPULATION (TOTAL # AUDITED)	SAMPLED (ON THE GROUND)
<b>HARVESTING</b> (# OF CUTBLOCKS)	459	281
<b>ROAD CONSTRUCTION (KM)</b>	483	326
<b>ROAD DEACTIVATION (KM)</b>	448	265
<b>ROAD MAINTENANCE (KM)</b>	5020	1994
<b>BRIDGE CONSTRUCTION</b> (# OF BRIDGES)	35	31
<b>BRIDGE MAINTENANCE</b> (# OF BRIDGES)	296	135
<b>SILVICULTURE – FREE GROWING</b> (# OF BLOCKS)	524	166
<b>SILVICULTURE – REGENERATION DUE</b> (# OF BLOCKS)	411	104
<b>SILVICULTURE – PLANTING</b> (# OF BLOCKS)	430	201
<b>SILVICULTURE – SITE PREPARATION</b> (# OF BLOCKS)	243	71
<b>FIRE PROTECTION</b> (# OF ACTIVE SITES)	15	15

## COMPLIANCE AUDITS COMPLETED



### COMMUNITY FOREST AGREEMENT K4B AND AUDIT OF SILVICULTURE OBLIGATIONS ON TREE FARM LICENCE 42 – TANIZUL TIMBER LTD.

*Fort St. James Natural Resource District*

The planning and forest activities undertaken by Tanizul Timber Ltd. under community forest agreement K4B generally complied with the requirements of the *Forest and Range Practices Act* (FRPA), *Wildfire Act* (WA) and related regulations. However, fire hazard assessments were not completed; therefore this is an area requiring improvement.

Tanizul Timber Ltd.'s planning and activities on tree farm licence 42 complied with the requirements of FRPA, WA and related regulations.



### FORT ST. JAMES COMMUNITY FOREST – COMMUNITY FOREST AGREEMENT K1D

*Fort St. James Natural Resource District*

The planning and forest activities undertaken by Fort St. James Community Forest Corp. under community forest agreement K1D did not comply in all significant respects with the requirements of FRPA, WA and related regulations. The audit identified two significant non-compliances with respect to operational planning and culvert construction, one unsound practice related to bridge construction, and one area requiring improvement related to not completing fire hazard assessments.



### WOODLOT LICENCE W1644

*Selkirk Natural Resource District*

The planning and forest activities undertaken by Rojo Contracting Ltd. on woodlot licence W1644 generally complied with the requirements of FRPA, WA and related regulations. However, some silviculture activities and obligations were not completed; therefore this is an area requiring improvement.



### WOODLOT LICENCE W0438

*Selkirk Natural Resource District*

The planning and forest activities undertaken by Jeffrey Mattes on woodlot licence W0438 generally complied with the requirements of FRPA, WA and related regulations. However, annual reporting requirements were not met and fire hazard assessments were not completed; therefore these are two areas requiring improvement.



### WOODLOT LICENCE W0436

*Selkirk Natural Resource District*

The planning and forest activities undertaken by Duncan Stanley Lake and Yvonne Boyd on woodlot licence W0436 identified two significant non-compliances with respect to bridge maintenance and annual reporting, and one area requiring improvement relating to riparian practices.



### WOODLOT LICENCE W0437

*Selkirk Natural Resource District*

The silviculture activities and obligations undertaken by Arrow Glenn Ltd. on woodlot licence W0437 did not comply in all significant respects with the requirements of FRPA and related regulations. This is an adverse opinion for these activities.

All other activities complied with the requirements of FRPA, WA and related regulations.

#### RECOMMENDATION

The Board requested that Arrow Glen Ltd. report back to the Board by December 31, 2016, on the steps taken to update the government database (RESULTS) and work with staff to develop a plan to address the silviculture issues.

#### RESPONSE

Arrow Glen Ltd. has committed to a comprehensive strategy that addresses the specific non-compliances identified by the audit, and demonstrates a good consultative relationship with district staff. The Board requested that Arrow Glenn Ltd. provide a further update regarding the specific steps taken to implement the plan by December 31, 2017.

*FPB requested follow-up response.*



### SN FORESTRY OPERATIONS LTD. – FORESTRY LICENCE TO CUT A82551

*Sea To Sky Natural Resource District*

The planning and forest activities undertaken by SN Forestry Operations Ltd. on forestry licence to cut A82551 complied with the requirements of FRPA, WA and related regulations.



### CANADIAN FOREST PRODUCTS LTD. (CANFOR) – TREE FARM LICENCE 14

*Rocky Mountain Natural Resource District*

The planning and forest activities undertaken by Canfor on tree farm licence 14 generally complied with the requirements of FRPA, WA and related regulations. However, fire hazard assessments were not completed; therefore this is considered an area requiring improvement.



**BC TIMBER SALES AND TIMBER SALE LICENCE HOLDERS – STUART NECHAKO BUSINESS AREA**

*Vanderhoof Natural Resource District*

The planning and forest activities undertaken by BCTS complied with FRPA and WA. The audit found that the activities of the timber sale licensees generally complied with FRPA and WA, except that several licensees' fire hazard assessments were not completed; therefore this is considered an area requiring improvement.



**TUMBLER RIDGE COMMUNITY FOREST CORP. – COMMUNITY FOREST AGREEMENT K2O**

*Peace Natural Resource District*

The planning and forest activities undertaken by Tumbler Ridge Community Forest Corp. under community forest agreement K2O complied with the requirements of FRPA, WA and related regulations.



**LITTLE PRAIRIE COMMUNITY FOREST INC. – COMMUNITY FOREST AGREEMENT K2N**

*Peace Natural Resource District*

The planning and forest activities undertaken by Little Prairie Community Forest Inc. under community forest agreement K2N complied with the requirements of FRPA, WA and related regulations.



**CHU CHO INDUSTRIES LP – NON-REPLACEABLE FOREST LICENCE A62375**

*Mackenzie Natural Resource District*

The planning and forest activities undertaken by Chu Cho Industries LP on non-replaceable forest licence A62375 complied with the requirements of FRPA, WA and related regulations.



**BC TIMBER SALES AND TIMBER SALE LICENCE HOLDERS – OKANAGAN-COLUMBIA BUSINESS AREA**

*Okanagan Shuswap Natural Resource District*

The planning and forest activities undertaken by BCTS generally complied with FRPA and WA, except for reporting of silviculture activities, which is a significant non-compliance. The audit found that the activities of the timber sale licensees generally complied with FRPA and WA. However, several licensees' fire hazard assessments were not completed; therefore this is an area requiring improvement.



**HUSBY FOREST PRODUCTS LTD. – FOREST LICENCE A16869**

*Haida Gwaii Natural Resource District*

The planning and forest activities undertaken by Husby Forest Products Ltd. on forest licence A16869 generally complied with the requirements of FRPA, WA and related regulations. However, fire hazard assessments were not completed; therefore this is an area requiring improvement.



**NORBORD INC. – NON REPLACEABLE FOREST LICENCES A81942 AND A84595**

*100 Mile House Natural Resource District*

The planning and forest activities undertaken by Norbord Inc. on non-replaceable forest licences A81942 and A84595 generally complied with the requirements of FRPA, WA and related regulations. However, fire hazard assessments were not completed; therefore this is considered an area requiring improvement.



**CANADA RESURGENCE DEVELOPMENTS LTD. – FOREST LICENCE A16884**

*Coast Mountain Natural Resource District*

The planning and forest activities undertaken by Canada Resurgence Developments Ltd. on forest licence A16884 did not comply in all significant respects with the requirements of FRPA, WA and related regulations. The audit identified two significant non-compliances with respect to structure installation and silviculture obligations.



**RANGE AGREEMENTS FOR GRAZING RAN077532 AND RAN077579**

*Thompson Rivers Natural Resource District*

The planning and range activities undertaken by J. Klop on grazing tenure RAN077532 generally complied with the requirements of FRPA and related regulations, but auditors noted an area requiring improvement related to the grazing schedule. The planning and range activities undertaken by Tamihī Reforestation & Farming Ltd. on grazing tenure RAN077579 generally complied with the requirements of FRPA and related regulations, but auditors noted two areas requiring improvement related to the grazing schedule and riparian areas.



**RANGE AGREEMENTS FOR GRAZING RAN077495 AND RAN077496**

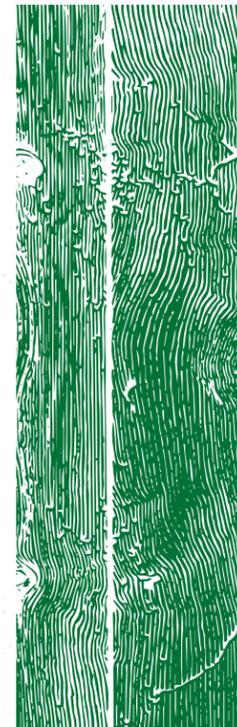
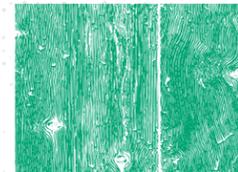
*Thompson Rivers Natural Resource District*

The planning and range activities undertaken by Barry Shaw on grazing tenures RAN077495 and RAN077496, generally complied with the requirements of FRPA and related regulations, but auditors identified a significant non-compliance related to not protecting the quality of water diverted for human consumption. In addition, auditors noted an area requiring improvement related to riparian areas.

# COMPLAINT INVESTIGATIONS

THE BOARD MUST DEAL WITH COMPLAINTS RELATED TO ACTIVITIES OCCURRING ON CROWN LAND, SUCH AS FOREST PLANNING AND PRACTICES; RANGE PLANS AND PRACTICES; PROTECTION OF FOREST RESOURCES SUCH AS WATER AND WILDLIFE; AND GOVERNMENT ENFORCEMENT OF LEGISLATION. THE BOARD INVESTIGATES, REPORTS AND MAKES RECOMMENDATIONS FOR IMPROVEMENT — IT HAS NO POWER TO DIRECT ANYONE TO CARRY OUT ANY ACTIONS, NOR CAN IT IMPOSE FINES OR PENALTIES FOR NON-COMPLIANCE.

- **CONCERNS RECEIVED, RESPONDED TO AND CLOSED – 46**
- **COMPLAINTS RECEIVED & UNDER INVESTIGATION – 13**
- **COMPLAINT INVESTIGATIONS COMPLETED & REPORTS PUBLISHED – 5**
- **RECOMMENDATIONS IMPLEMENTED – 2**



## ADDRESSING CONCERNS FROM THE PUBLIC

THE BOARD RECEIVES MANY CONCERNS FROM THE PUBLIC AND PUTS SUBSTANTIAL TIME AND EFFORT INTO HELPING PEOPLE GET THEIR CONCERNS ADDRESSED. FREQUENTLY, PUBLIC CONCERNS ARE RESOLVED WITHOUT THE NEED FOR A FORMAL COMPLAINT INVESTIGATION. SOME OF THE CONCERNS THAT THE BOARD ADDRESSED THIS PAST YEAR ARE HIGHLIGHTED BELOW.

### TWINFLOWER CREEK

The Board was contacted by a rancher in the Cariboo-Chilcotin Natural Resource District, who noticed flagging tape marking the boundary of several proposed cutblocks upstream of his water intake in the upper Twinflower Creek watershed. The Board had previously investigated two complaints from the same rancher, both of which found that the cumulative effects of historical and current harvesting likely contributed to problems with low water flows at the rancher's water intake.

The rancher was concerned that the licensee operating in the watershed had completed an overview hydrological assessment that did not indicate any significant risks to water if harvesting proceeded. The Board examined the assessment and found it had not considered possible risks of harvesting to water quantity or timing of flow upstream of the rancher's water intake. The licensee agreed and subsequently undertook a more comprehensive hydrological assessment. Based on the outcome, the licensee decided to defer harvesting in the upper Twinflower Creek watershed for up to 15 years, to allow more time for previously harvested forest to recover and to reduce the risk of impacting the rancher's water supply. This resolved the rancher's concern.

### LOGGING TRUCK TRAFFIC

A resident of Celistia, east of Kamloops, was concerned that use of a local road by a licensee's logging trucks would compromise the safety of residents. The licensee had previously discussed the logging traffic with the resident and, at the time, suggested the use of convex mirrors at two locations to make the road safer. While road safety is not specifically within the Board's mandate, the Board contacted the BC Ministry of Transportation and Infrastructure (MOTI), who maintain the road, and the licensee. MOTI were aware of the issue and reported that they planned to install a stop sign at the intersection of the forest road, remove brush to clear sight lines, and put up a sign

warning road users of industrial activity in the area. MOTI also committed to installing convex mirrors. The licensee obtained a commitment from their logging contractor that his employees and drivers would drive slowly and take extra care in the residential area. The resident was satisfied with this response.

### UNSAFE ROAD CONDITIONS

A resident living off the King Edward-Brewer Forest Service Road near Vernon was concerned about unsafe road conditions (poorly maintained roads, presence of danger trees and dangerous hauling activities) and damage to natural drainage patterns. A licensee holds the road maintenance agreement for this section of road and is required to maintain the structural integrity of the road and the function of drainage systems, and ensure the road can be used safely by industrial users.

The Board contacted all the parties and arranged a site visit in July 2016. The Board determined that the structural integrity of the road prism and clearing width were protected, and the drainage systems were functioning. The Board also found that the licensee was dealing adequately with danger trees and had a functional traffic control system. Finally, the Board advised the parties that road safety is not within the Board's jurisdiction to investigate. For these reasons, the resident decided not to file a formal complaint.

### VISUAL QUALITY AND LOGGING

A resident of Bamfield on the west coast of Vancouver Island contacted the Board with a concern about recent logging that was visible from the town and nearby roads. Bamfield is one of the primary access points to the Pacific Rim National Park Reserve and tourism is important for the town's economy. The resident thought that rules were in place to limit the visibility of logging in light of the importance of the natural beauty to the local economy.

The Board determined that the cutblock of concern was in a designated scenic area where a "partial retention" visual quality objective (VQO) applied. The Board provided the resident with links to information on visual quality standards in BC, contact information for the Ministry of Forests, Lands and Natural Resource Operations' (FLNRO) compliance and enforcement staff, and explained that this VQO enables limited logging, based on how the logging looks from significant public viewpoints. Based on this information, the concerned resident said they would likely take their concerns to the Compliance and Enforcement Branch of FLNRO. The Board will be following this concern with interest, as there has been an increase in issues related to visual quality brought to the Board's attention in recent years.

## NEW COMPLAINTS RECEIVED

### 1. HARVESTING IMPACTS TO FISHER IN THE NAZKO

*Quesnel Natural Resource District*

A group of trappers complained that extensive logging did not properly consider risks to biodiversity and the impacts to wildlife. The trappers are also concerned about overlapping forestry licences within their trapping territories.

### 2. HARVESTING IN McCLURE CREEK WATERSHED

*Thompson Rivers Natural Resource District*

A local resident complained that logging impacted their water quality and damaged their water intake.

### 3. HARVESTING IN WESTERN TOAD HABITAT NEAR SUMMIT LAKE

*Okanagan Shuswap Natural Resource District*

A member of an environmental group complained that the forest practices undertaken by a community forest are harming western toads—a species at risk.

### 4. HARVESTING ON MOUNT ELPHINSTONE

*Sunshine Coast Natural Resource District*

An environmental group complained that government is not protecting local blue-listed plant communities in a proposed cutblock near Mount Elphinstone Park.

### 5. HARVESTING NEAR WILLIAMSON AND THONE LAKES

*Selkirk Natural Resource District*

Local residents complained about the potential impacts of planned harvesting on lakeside recreation at two designated recreation sites.

### 6. ADEQUACY OF BRUSHING IN PLANTATIONS

*Chilliwack Natural Resource District*

An individual complained that inadequate brushing is occurring in replanted cutblocks, and is concerned plantations will not achieve free-growing status.

### 7. HARVESTING AND VISUAL QUALITY NEAR YALAKOM

*Cascades Natural Resource District*

A resident complained about impacts to visual quality as a result of harvesting on the slopes overlooking and south of the junction of the Bridge River and the Yalakom River.



### 8. MALAKWA CREEK: SILTATION FROM A LOGGING ROAD

*Okanagan Shuswap Natural Resource District*

A local resident complained that their water intake was buried by sediment as a result of road-building in the Malakwa Creek watershed.

### 9. HARVESTING AND VISUAL QUALITY NEAR GRANITE BAY

*Campbell River Natural Resource District*

Residents of a subdivision complained about proposed logging in an area visible from their homes that government previously, and mistakenly, mapped as a protected area.

### 10. HARVESTING IN A FIRST NATION'S TRADITIONAL TERRITORY

*Quesnel Natural Resource District*

A First Nation complained that a licensee's plans to harvest timber in its Traditional Territory will cause negative impacts on landscape-level biodiversity, wildlife habitat, riparian function and timber availability.

### 11. MANAGEMENT OF DOUGLAS-FIR BARK BEETLES

*Okanagan Shuswap Natural Resource District*

An experienced forest worker was concerned that a licensee had not removed all the trees it felled to trap Douglas-fir bark beetle before the insects emerged, and that some of its harvest practices increased the infestation level in ungulate winter range.

### 12. UNAUTHORIZED DAMAGE TO A RANGE DEVELOPMENT

*100 Mile House Natural Resource District*

A range agreement holder complained that a timber sale licence (TSL) holder had removed portions of a fence on a range agreement area to accommodate road access for timber harvesting, putting his livestock at risk. He also complained that the TSL holder did not obtain the required authorizations from the district manager to remove portions of the fence.

### 13. FOREST PLANNING AND PRACTICES AT EAST CREEK

*North Island - Central Coast Natural Resource District*

An environmental group submitted a complaint about logging practices in the East Creek Valley, just north of Mquqwin/Brooks Peninsula Provincial Park, on northwest Vancouver Island. The group was concerned with a wide range of issues related to forest planning and practices.

## COMPLAINT INVESTIGATIONS COMPLETED



### DRY CREEK – HYDROLOGY AND WILDLIFE CONCERNS ABOUT A LARGE CLEARCUT

A resident of Grand Forks complained that a large clearcut in an area north of Greenwood would negatively impact wildlife and water. The licensee, Interfor Corporation, harvested the cutblock in part to convert low value pine to a more productive stand.

The *Forest and Range Practices Act* (FRPA) sets a minimum cutblock size, but allows forest licensees to harvest larger cutblocks, subject to requirements to conserve biological diversity at the landscape level.

The Board found that Interfor's assessment of hydrological risk was reasonable for this dry site and that the licensee complied with legal requirements for wildlife species requiring special management and stand-level biodiversity. However, the Board found that Interfor had not considered the spatial and temporal distribution of cutblocks at the landscape level. The Board was unable to conclude whether the planned harvest would adequately manage impacts to wildlife habitat and landscape-level biodiversity.

#### RECOMMENDATION

To manage for conservation of biodiversity at the landscape level, Interfor should have a qualified person perform an analysis and develop a plan that ensures future timber harvesting in this landscape unit resembles, both spatially and temporally, the patterns of natural disturbance and considers retention areas and connectivity over the landscape.

#### RESPONSE RECEIVED

Interfor has conducted a patch size distribution analysis on the boundary landscape unit and will be using the analysis when assessing new development proposals and prescribing retention areas.



### MAINTENANCE OF THE COOKE CREEK FOREST SERVICE ROAD NEAR ENDERBY

In May 2014, a large debris flow occurred in Cooke Creek, blocking highway access and extensively damaging an interpretive centre and fish hatchery. A resident complained that a lack of culvert maintenance was the primary cause.

The Board found that BC Timber Sales (BCTS) did not comply with FRPA because it did not protect the structural integrity of the road or the function of drainage systems.

The Board found that the Okanagan Shuswap Natural Resource District did not adequately respond to concerns raised by the complainant about road maintenance and culverts. The Board also found that, at the time of construction, the district did not design the culverts to accommodate the expected peak flows.

#### RECOMMENDATION

The Okanagan Shuswap Natural Resource District and BCTS should prepare an action plan describing how they will avoid similar design and maintenance issues in the future.

#### RESPONSE RECEIVED

Response not received as of March 31, 2017.



### MANAGEMENT OF DOUGLAS-FIR BARK BEETLES SOUTHEAST OF KAMLOOPS, BC

An experienced forest worker complained that Tolko Industries was not managing Douglas-fir bark beetle appropriately, thereby intensifying the spread of the bark beetle and adversely impacting ungulate winter range. The complainant was concerned that Tolko did not remove trap trees and engaged in forestry practices that might exacerbate the infestation.

The Board found that Tolko's suppression strategy to manage the Douglas-fir bark beetle outbreak in its operating area was appropriate and the deployment of trap trees was timely and effective. As well, Tolko's harvesting practices (harvesting large cutblocks and leaving large debris piles) were reasonable and required under the circumstances, and Tolko complied with the general wildlife measure for moose ungulate winter range.

However, Tolko did not destroy or contain the insects in the trap trees before the adult beetles emerged and the Board concluded that Tolko's management of bark beetle was not adequate in 2015/16.

#### RESOLUTION

Tolko committed to using various methods to aggressively manage the Douglas-fir bark beetle epidemic in the future, which resolved the complainants concerns.



### FOREST PLANNING AND PRACTICES AT EAST CREEK

In May 2016, Sierra Club BC submitted a complaint about forest planning and practices at East Creek, on northwest Vancouver Island. Their concerns included old growth management, culturally modified tree preservation, cultural heritage feature management, riparian management, wildlife habitat preservation, karst management, worker safety, and access to forest planning information.

Not all facets of the complaint were within the Board's mandate. The Board investigated two issues, (1) compliance of forest operations in the East Creek Valley with FRPA and the Vancouver Island Land Use Plan (VILUP), and (2) access to forest planning information. The Board found that the licensee (LeMare Lake Logging Ltd. and its related company, Lions Gate Forest Products Limited) met FRPA and the VILUP requirements. However, the Board also found that the licensee did not provide the complainant with reasonable access to site plans. FRPA requires licensees to provide members of the public with access to site plans on request and at any reasonable time. The licensee has said it intends to improve public access to site plans in the future.



### CLOSING LETTER – UNAUTHORIZED DAMAGE TO A RANGE DEVELOPMENT

A rancher in the 100 Mile House Natural Resource District complained to the Board that the holder of a timber sale licence, awarded by BCTS, damaged three sections of range fence on his range agreement without first obtaining authorization from the district manager. The rancher had already contacted the Compliance and Enforcement Branch of FLNRO and was told that authorization to damage a range development is implied when the district manager approves a road permit or cutting permit. The sections of fence were subsequently repaired by the licensee, but the rancher was concerned that the repairs might not meet government standards.

The district manager confirmed with the Board that authorization to damage a range development is required under section 51 of FRPA. Since this complaint, the district manager has issued a policy on implementation of section 51 and has distributed it to all licensees in the district and to the Compliance and Enforcement Branch. In addition, BCTS has committed to inspecting the fence repairs to ensure they meet government standards.

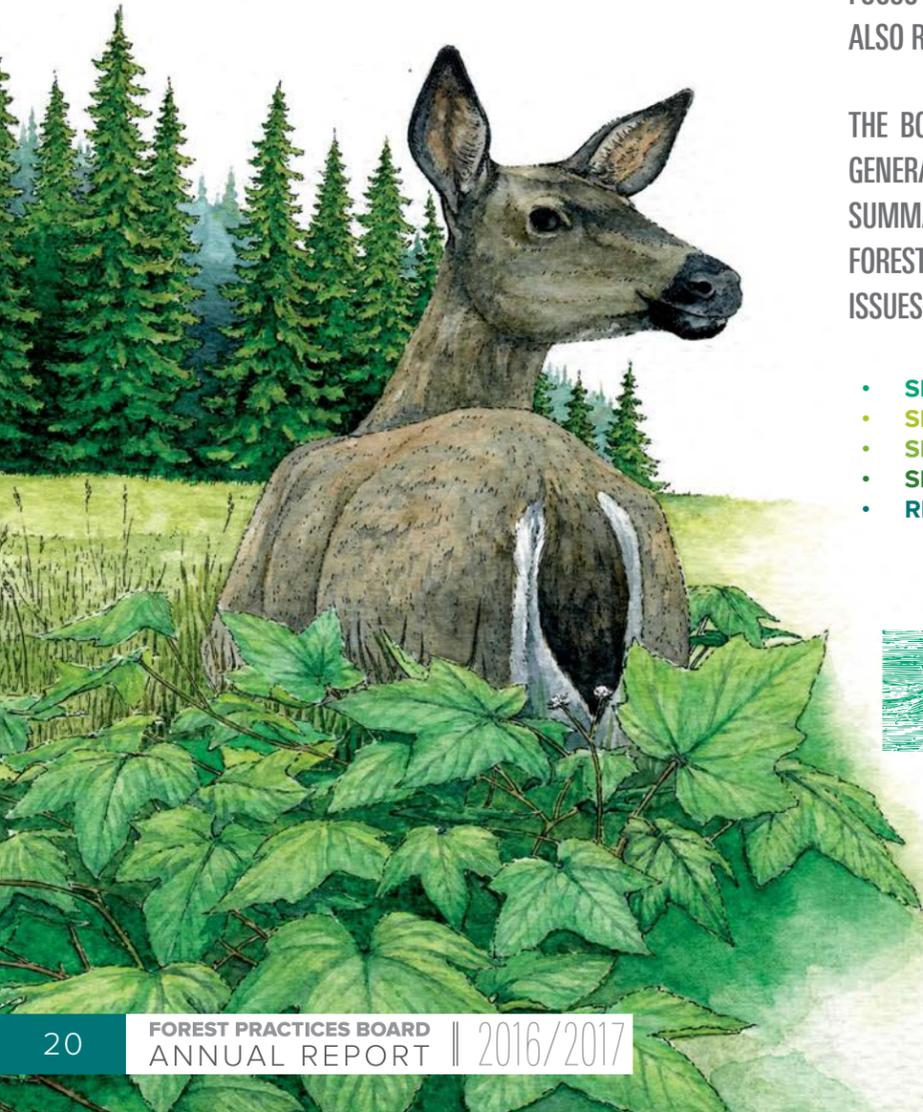
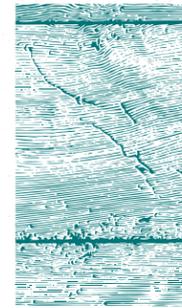
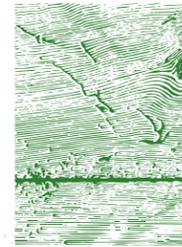
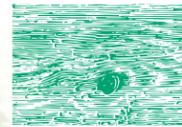
The rancher advised the Board he is satisfied with the actions taken by the district manager and commitments made by BCTS to resolve the concerns. As a result this investigation was stopped.

# SPECIAL PROJECTS

THE BOARD CAN CHOOSE TO INVESTIGATE OR REPORT ON A MATTER WITHOUT WAITING FOR AN AUDIT OR A PUBLIC COMPLAINT TO IDENTIFY AN ISSUE. SPECIAL INVESTIGATIONS DEAL WITH FORESTRY-RELATED MATTERS THAT ARE OF INTEREST TO THE PROVINCE AS A WHOLE, AS OPPOSED TO AUDITS AND COMPLAINTS, WHICH ARE MORE TARGETED. SPECIAL INVESTIGATIONS FOCUS ON COMPLIANCE WITH LEGISLATION, OR APPROPRIATENESS OF ENFORCEMENT, BUT MAY ALSO RAISE POLICY IMPLICATIONS.

THE BOARD CAN ISSUE A SPECIAL REPORT TO COMMENT PUBLICLY ON A MATTER RELATED GENERALLY TO THE DUTIES OF THE BOARD OR THE RESULTS OF ITS WORK. SPECIAL REPORTS MAY SUMMARIZE TRENDS OR FINDINGS OF BOARD AUDITS OR INVESTIGATIONS; IDENTIFY AND DISCUSS FOREST OR RANGE POLICIES AND LEGISLATION; OR RAISE FOREST OR RANGE STEWARDSHIP ISSUES TO FOSTER PUBLIC UNDERSTANDING AND DISCUSSION.

- SPECIAL INVESTIGATIONS STARTED – 2
- SPECIAL INVESTIGATIONS COMPLETED & PUBLISHED – 1
- SPECIAL REPORTS COMPLETED & PUBLISHED – 1
- SPECIAL PROJECTS ONGOING – 4
- RESPONSES TO RECOMMENDATIONS – 5



## BOARD BULLETIN

### VOLUME 18 – FIRE HAZARD ASSESSMENT

Of the nine forestry audits started in 2016, five found that licensees did not complete the required fire hazard assessments. This is very concerning to the Board and, as a result, this bulletin was issued as a reminder to every person that carries out an industrial activity such as logging, that it is a legal requirement to assess and abate fire hazards. Fire hazard assessment is important, not only because it is the law and therefore it must be done, but because it is also a critical step in demonstrating due diligence in the event that a wildfire occurs.

## NEW SPECIAL PROJECTS STARTED

### KOOTENAY LAKE WOODLOTS

#### Special Investigation

This special investigation is assessing whether the roles and responsibilities of woodlot licensees, government and forest professionals in the Kootenay Lake Timber Supply Area (TSA) are clearly defined and understood and are being carried out in a manner that ensures woodlot licensees are complying with forest practices legislation. The Board audited four woodlots in the Kootenay Lake TSA in 2015 and all had non-compliances with legislation. This special investigation will assess the remaining 11 woodlots in the TSA for compliance with the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act* (WA) to assess the extent to which:

1. licensees in the Kootenay Lake TSA are managing their woodlots to the standards set in FRPA, the *Woodlot Planning and Practices Regulation*, and the WA, and
2. the woodlot management framework supports licensees' ability to meet their requirements under the legislation.

### GOVERNMENT'S COMPLIANCE AND ENFORCEMENT PROGRAM

#### Special Investigation

The provincial compliance and enforcement (C&E) program is the law enforcement arm of FLNRO, and is responsible for ensuring compliance with natural resource legislation. Since 2011, the mandate of C&E has expanded to include a broad range of legislation across the natural resource sector. At the same time, the program has reportedly faced significant challenges with staffing, training, safety, setting priorities and communication. This special investigation will examine whether government's compliance and enforcement framework under FRPA and the WA is appropriate. Key questions are:

- What is C&E's overall approach to compliance and enforcement?
- What are the risks and opportunities with this approach?
- Has C&E done what it set out to do in its business plan?

## SPECIAL PROJECTS COMPLETED



### VISUAL QUALITY ON ALBERNI INLET

*Special Investigation*

The Board investigated logging on a prominent landform on Alberni Inlet on the west coast of Vancouver Island. The investigation found that the licensee failed to achieve the legally established visual quality objective of partial retention and did not comply with its forest stewardship plan. In addition, in the Board's opinion, government's enforcement of FRPA was not appropriate, as C&E did not proceed with investigation of the case.

#### RECOMMENDATIONS

1. Government evaluate its approach to management of visual resources. This evaluation should involve not only the forest sector, but also those business sectors reliant on visual resources for their success. The evaluation should include consideration of ways to improve the clarity and enforceability of the existing regulatory framework, including consideration of making visual resource management a practice requirement for all licensees, consistent with the *Woodlot Licence Planning and Practices Regulation*.
2. Government and the Association of BC Forest Professionals review and update guidance and policy documents to ensure consistency of approach and use of best practices in the management of visual resources.
3. Government ensure that compliance with, and enforcement of, visual quality objectives is a consistent priority across the province.

#### RESPONSE RECEIVED

- Government said it will review the visuals program and update policy and guidance by March 31, 2017.
- The Association of BC Forest Professionals has advised its members about visual quality requirements and will be providing professional practice guidance in 2017.



### RESTORING AND MAINTAINING RANGELANDS IN THE EAST KOOTENAY

*Special Report*

The Board assessed the effectiveness of actions taken by government in response to the Board's 2008 recommendations to increase the area and quality of rangelands in the East Kootenay. The report found that, while progress is being made through the collaborative efforts of government and a dedicated group of stakeholders, a number of issues threaten the sustainability of rangelands in the area over the longer term. Issues include ongoing encroachment and ingrowth of forests, spread of invasive plants, site disturbance due to industrial activities and off-road recreational vehicles, and localized over-grazing by cattle and elk.

## SPECIAL PROJECTS ONGOING



### SPECIAL INVESTIGATION

#### ROAD CONSTRUCTION IN STEEP TERRAIN

This investigation will determine whether the parties who construct resource roads on steep terrain are meeting legislative requirements of FRPA and following professional standards of practice and the related guidelines of the professional regulatory bodies. Are the roads stable, safe for industrial and public use, constructed according to plan, and is the potential for damage to the environment being mitigated?



### SPECIAL REPORT

#### HARVESTING YOUNG STANDS OF TIMBER ON THE B.C. COAST — DOES AGE MATTER?

The Board is aware that some stands in coastal TSAs are being harvested below the minimum harvest ages assumed when the allowable annual cut is determined. This project will determine the extent of young stand harvesting in five coastal TSAs and may comment on issues related to harvesting at young stand ages.



### SPECIAL REPORT

#### EVALUATING GOVERNMENT'S APPROACH TO THE MANAGEMENT OF FISH HABITATS

The management of fish habitats in BC is complicated, with many habitat components at different scales and involving policy and legislation within different jurisdictions. This report will evaluate the BC government's approach to the management of fish habitat, with an emphasis on forestry and range practices under FRPA.



### SPECIAL REPORT

#### AN EVALUATION OF THE FOREST AND RANGE EVALUATION PROGRAM (FREP)

This review will determine the effectiveness of the FREP program in implementing continuous improvement and adaptive management as a foundation for the FRPA legislative framework. The focus will be to determine if FREP is meeting, or likely to meet the expected program outcomes.

# RESPONSES TO RECOMMENDATIONS

THESE RESPONSES WERE RECEIVED IN 2016-17, AND RELATE TO REPORTS PUBLISHED IN 2015-16 OR EARLIER.

## HARVESTING IMPACTS ON NATURAL RANGE BARRIERS NEAR SHARPE LAKE

Published March 2016

### RECOMMENDATION

Ministry of Forests, Lands and Natural Resource Operations (FLNRO) should facilitate a process between West Fraser and the complainants to collect and record detailed information on livestock movement to confirm whether a natural range barrier has been breached and to determine the appropriate mitigation required to be implemented by West Fraser. The Board suggests that such monitoring of livestock by the complainants occur over at least a two-year period, commencing at the start of the next grazing season.

### RESPONSE

Government advised the Board that West Fraser and the complainant had met to discuss the licensee's further harvesting plans that will occur on the complainant's range tenure. The planned harvesting will fully remove the remaining natural range barrier. The complainant had no issues with the harvesting plans as long as a fence is constructed to connect to the existing fence, thereby controlling cattle movement and removing the need for government to monitor cattle movement through the area. Both parties agreed that the fence would be constructed in summer 2017.

*File closed July 2016*

## DISTRICT MANAGERS' AUTHORITY OVER FOREST OPERATIONS

Published December 2015

### RECOMMENDATION

In accordance with section 131(3) of the *Forests and Range Practices Act* (FRPA), the Board recommends that government introduce a regulation to implement the *Forest Act* section 81.1. The regulation should authorize district managers to refuse a cutting permit or road permit if the minister determines that any of the following applies: there is clearly significant risk to public health or safety; there is clearly significant risk to forest resources or values; there is likely to be a contravention of legislation; or the interests of another tenure holder have not been adequately addressed (if that tenure holder requests district manager intervention).

### RESPONSE

The ministry is currently working with district managers, legal counsel and policy specialists to further investigate and document: (a) the current suite of authorities that district managers have; and (b) the range of circumstances district managers may face that challenge the exercise of such authorities.

As a result of this work, any identified opportunities to strengthen legislation, policy, or decision-making support will be addressed as part of the annual FRPA continuous improvement strategy.

*The Board is continuing to monitor implementation of the response.*

## FOREST STEWARDSHIP PLANS: ARE THEY MEETING EXPECTATIONS?

Published August 2015

### RECOMMENDATIONS

1. Government, and its decision makers, should not extend or approve forest stewardship plans (FSPs) that include:
  - results, strategies and measures that are unenforceable,
  - results or strategies that are not consistent to the extent practicable with government's objectives, or
  - measures that are not reasonable and appropriate.
2. Government should ensure that the public has at least one opportunity every five years for full review and comment on forest stewardship plans.
3. Government should establish a process for public review and comment on planned roads and cutblocks.
4. The Association of BC Forest Professionals (ABC FP) should ensure that forest professionals, and their employers, are cognizant of the forest professionals' independent responsibilities regarding:
  - results, strategies and measures that are measurable or verifiable,
  - results or strategies that are consistent to the extent practicable with government's objectives, and
  - measures that are reasonable and appropriate.

### RESPONSES

Government said the following activities are underway or planned:

- Provided specific expectations and guidance to district managers on the replacement of FSPs.
- The ministry hosted provincial FSP workshops in 2016 to assist industry professionals and government staff who are responsible for preparing, reviewing and adjudicating FSPs. The ministry worked with the ABCFP and forest industry representatives to design the workshops.
- To support public consultation on FSPs every five years, the chief forester's recent provincial guidance expressly notes that government expects replacement (new) FSPs, which triggers the legal requirement for public consultation.

- Government would like to see enhancements to public engagement in forestry planning. Government will be working on building technology-based solutions for sharing the right information with the right parties at the right time. Government has no plans at this time to explore a new legislated process for public review and comment on proposed cutblocks and roads.
- Government remains committed to the continuous improvement model for FRPA, and will continue to identify annual priorities for FRPA enhancement.

The ABCFP issued a news release on August 19, 2015, in response to the Board's report.

1. ABCFP restated the importance of the FSP to the planning and accountability of forest practices in BC, and
2. ABCFP made everyone aware that a change to ABCFP bylaws June 2014 now obligates forest professionals to provide professional work that is measurable or verifiable. This would include professional works to establish results or strategies in FSPs.

In addition, the ABCFP has and continues to:

- Communicate its *Measure and Verify Standard*, and the content of other professional practice guidance documents that support the FSP process to forest professionals.
- Communicate with employers regarding the independent role and responsibility of a forest professional in the FSP process.
- Meet with other regulators and stakeholders regarding the forest professional's role in communicating and improving the use of the FSP.
- Drafted a fact sheet – "Forest Stewardship Plans in BC".
- Meet with industry and government representatives on FSP training initiative.
- Discussed and provided explanation of the *Measure or Verify Standard* (bylaw 12.2.4) at workshops for ABCFP members.
- Incorporate an education module in the new ABCFP registration process on professional reliance and standards, including the *Measure or Verify Standard*.

*The Board is continuing to monitor implementation of these responses.*

## ACCESS MANAGEMENT AND RESOURCE ROADS: 2015 UPDATE

Published April 2015

### RECOMMENDATIONS

1. That government improve the current information on resource roads by providing a website that allows collaborative editing of content (a wiki); both to enable government staff and to engage the public in providing current information about road location and status.
2. A regulation bringing into force sections 93.1 and 93.3 of the *Land Act*, as a way to enable setting and varying of access objectives for a prescribed area that could apply to everyone; all industries and the public.
3. Government require timely notification be provided to non-industrial users of resource roads about pending changes in road status (new construction, changes in maintenance and deactivation).
4. Government implement the recommendation of the BC Forest Safety Ombudsman that “the Province should establish a new public highway designation for resource roads that serve as the primary or secondary access roads for communities.”
5. Until comprehensive legislation is passed, government address many of the operational issues associated with access management using minor regulatory changes, by developing clear policies and by promoting and supporting the work of local road management committees.
6. Government complete an inventory of these roads, including rating the risk of negative effects. With respect to road rehabilitation in the forestry context, there is a need for a clear distinction between temporary and permanent access and clear direction that temporary access roads should be rehabilitated.

### RESPONSES

1. FLNRO’s Engineering Branch is continuing to update government’s inventory of resource roads.
2. At this time, the ministry is not considering bringing into force sections 93.1 and 93.3 of the *Land Act* to enable the setting of access objectives under this legislation. However, policy and regulatory analysis regarding the application of objectives across the natural resource sector is currently underway.
3. Under the Natural Resource Roads Act (NRRA) project, government proposes to improve notification of impending changes to road status to registered resource road users through an electronic notification process. Development of the NRRA is underway.
4. FLNRO and the Transportation Ministry have decided not to pursue designating primary or secondary resource roads accessing communities as public highways. We have jointly concluded that the cost to bring all these resource roads throughout the province to a public highway standard was not necessary.
5. Operational issues, including those identified by the Board, are being addressed under the proposed NRRA. The proposed NRRA is also intended to clarify maintenance and deactivation obligations for resource roads.
6. Although the ministry does collect information regarding non-status roads (considered vacant Crown land) and temporary access structures on cutblocks, these roads are currently not included in the resource road inventory. Government recognizes that all access structures may have some level of environmental risk. As such, temporary access structures remain subject to environmental obligations set out in the *Forest Planning and Practices Regulation* under the FRPA. These obligations are intended to continue under the proposed NRRA.

*File closed July 2016*

## COMMUNITY WATERSHEDS: FROM OBJECTIVES TO RESULTS ON THE GROUND

Published April 2014

### RECOMMENDATIONS

1. Strengthening FRPA’s requirements for the protection of drinking water. Government should undertake a review of FRPA’s requirements for the protection of drinking water generally, and in community watersheds specifically.
2. Strengthening the content and approval of FSPs. Government should provide clear direction to delegated decision-makers that ensures results and strategies in FSPs pertaining to the community watershed objective are measurable or verifiable.
3. Ensuring the content of professional assessments is meaningful. The ABCFP and the Association of Professional Engineers and Geoscientists of BC should develop guidance for their members on the appropriate content of a watershed or hydrological assessment.
4. Monitoring the protection of drinking water. Government should expand its monitoring of the effectiveness of forest and range practices in protecting water quality to include water used for drinking both within and outside of community watersheds.
5. Updating the status of community watersheds. Government should undertake a comprehensive review of the status of community watersheds and determine which watersheds warrant designation and require special management.

### RESPONSES

We requested government to advise the Board of progress made and timelines for implementing the recommendations by October 1, 2014. The initial response (received October 2014) endorsed the Board’s recommendations but indicated an apprehension with how to implement the recommendations. In July 2015, we received a status update that indicated FLNRO was making an effort to respond to our recommendations. In November 2016, we received another update outlining the status of implementation of the recommendations.

After three years, we summarize government’s response to the recommendations as follows:

1. Policy analysis over the next year will determine if FRPA changes are warranted.
2. This special investigation, as well as the Board’s investigation of FSPs has assisted FLNRO during 2016 in preparing guidance letters from the Chief Forester, expectation letters from district managers and interpretation bulletins from Resource Practices Branch that have gone out to licensees.
3. From 2015 to 2016 the ABCFP and the Association of Professional Engineers and Geoscientists of BC struck a review committee that drafted guidance documents and this work was developed in consultation with government. This draft guidance is still under review by the joint association review team.
4. Government has a plan to monitor “sensitive” community watersheds that will be implemented in 2017. There is no plan to monitor other watersheds that provide surface water for human consumption.
5. Government completed a comprehensive report on the status of community watersheds in 2016, but has not yet determined if the classification of community watershed is valid for all designated watersheds.

*Government’s response to the recommendations is under review by the Board.*

# COMMUNICATIONS

OVER THE PAST YEAR THE BOARD HAS CONTINUED TO WORK HARD TO COMMUNICATE WITH THE PUBLIC. WE FOCUS BOTH ON EXPLAINING OUR ROLE IN BC'S FOREST AND RANGE MANAGEMENT SYSTEM AND ON EXPLAINING THE RESULTS OF OUR WORK. WE PROVIDE INFORMATION THROUGH OUR WEBSITE, EMAIL SUBSCRIPTION, SOCIAL MEDIA ACCOUNTS — FACEBOOK AND TWITTER — AND NEWS RELEASES. THIS ALLOWS US TO GET INFORMATION OUT TO A LARGE PUBLIC AUDIENCE. WE ALSO SEEK OPPORTUNITIES TO PRESENT THE RESULTS OF OUR WORK AT CONFERENCES, EVENTS AND MEETINGS WHENEVER POSSIBLE.

In 2016-17, we issued 31 news releases and media covered the Board in 104 radio and newspaper stories across the province. We had over 18,000 new visitors to our website, 271 Facebook likes and 688 Twitter followers. All of these contacts help make the public aware of the Board and our findings. We attended 36 conferences and events, and spoke at 19 of them.

Some of these include the DEMO International Conference, BC Woodlots Federation AGM, and the BC Cattlemen's AGM. The Board gave presentations on a variety of topics including fish, wildlife, recreation, stewardship, forestry, range, water in community watersheds and our mandate. In addition, the Board spoke to students at the University of British Columbia, Trinity Western University, the University of Northern BC and the British Columbia Institute of Technology. During 2016-17 the Board also made extra efforts to meet with representatives of local governments to increase awareness and understanding of the Board among forest-based communities.

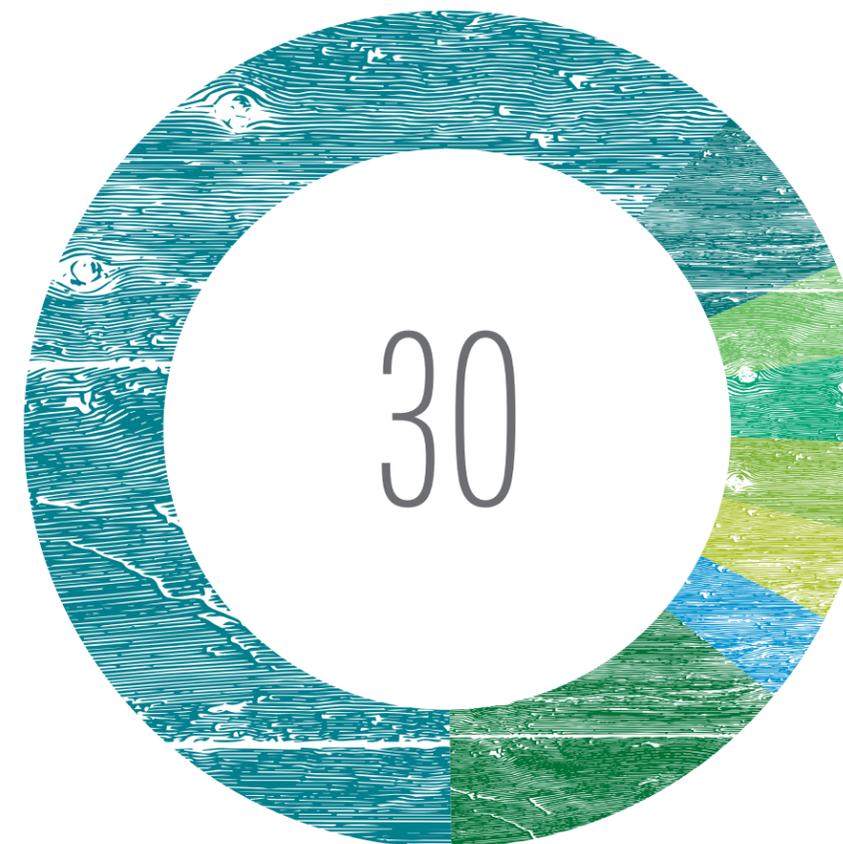
32,284  WEBSITE VISITS

## TOP 10 DOWNLOADED REPORTS

(From our website - [www.bcfpb.ca](http://www.bcfpb.ca))

1. Visual Quality on Alberni Inlet
2. Bulletin 018 – Fire Hazard Assessment
3. Dry Creek – Hydrology and Wildlife Concerns about a Large Cutblock
4. 2015-2016 Annual Report
5. Forest Stewardship Plans: Are They Meeting Expectations?
6. Maintenance of the Cooke Creek Forest Service Road near Enderby
7. Audit of Forest Planning and Practices: Selkirk Natural Resource District Woodlot Licence W0437
8. Bulletin 017 – Stewardship
9. Conserving Old Growth Forests in BC – Implementation of old-growth retention strategies under FRPA
10. Audit of Range Planning and Practices: Cascades Natural Resource District – Range Agreements for Grazing RAN076722, RAN076723, RAN076728, RAN076729, RAN077096

# PUBLICATIONS



- AUDITS – 18
- COMPLAINT REPORTS – 5
- SPECIAL REPORTS – 1
- SPECIAL INVESTIGATIONS – 1
- ANNUAL REPORTS – 1
- BULLETINS – 1
- OTHER - 1
- NEWSLETTERS – 2

1. Community Forest Agreement K4B and Audit of Silviculture Obligations – Tree Farm Licence 42 – Tanizul Timber Ltd.; Audit of Forest Planning and Practices
2. Fort St. James Community Forest – Community Forest Agreement K1D; Audit of Forest Planning and Practices
3. Selkirk Natural Resource District – Woodlot Licence W1644; Audit of Forest Planning and Practices
4. What To Expect During A Board Compliance Audit – RANGE
5. Selkirk Natural Resource District – Woodlot Licence W0436; Audit of Forest Planning and Practices
6. Selkirk Natural Resource District – Woodlot Licence W0438; Audit of Forest Planning and Practices
7. Selkirk Natural Resource District – Woodlot Licence W0437; Audit of Forest Planning and Practices
8. SN Forestry Operations Ltd. – Forestry Licence to Cut A82551; Audit of Forest Planning and Practices
9. Visual Quality on Alberni Inlet; Special Investigation
10. Canadian Forest Products Ltd. – Tree Farm Licence 14; Audit of Forest Planning and Practices
11. Maintenance of the Cooke Creek Forest Service Road near Enderby; Complaint Investigation
12. Restoring and Maintaining Rangelands in the East Kootenay; Special Report
13. BC Timber Sales and Timber Sale Licence Holders – Stuart Nechako Business Area – Vanderhoof Natural Resource District; Audit of Forest Planning and Practices
14. Dry Creek – Hydrology and Wildlife Concerns About a Large Cutblock; Complaint Investigation





- 15.** Tumbler Ridge Community Forest Corp. – Community Forest Agreement K20; Audit of Forest Planning and Practices
- 16.** Little Prairie Community Forest Inc. – Community Forest Agreement K2N; Audit of Forest Planning and Practices
- 17.** Chu Cho Industries LP – Non-Replaceable Forest Licence A62375; Audit of Forest Planning and Practices
- 18.** BC Timber Sales and Timber Sale Licence Holders – Okanagan-Columbia Business Area – Okanagan Shuswap Natural Resource District; Audit of Forest Planning and Practices
- 19.** Husby Forest Products Ltd. – Forest Licence A16869; Audit of Forest Planning and Practices
- 20.** Norbord Inc. – Non-Replaceable Forest Licences A81942 and A84595; Audit of Forest Planning and Practices
- 21.** Management of Douglas-fir Bark Beetles Southeast of Kamloops, BC; Complaint Investigation
- 22.** Canada Resurgence Developments Ltd. – Forest Licence A16884; Audit of Forest Planning and Practices
- 23.** Closing Letter- Unauthorized Damage to a Range Development; Complaint Investigation
- 24.** Thompson Rivers Natural Resource District – Range Agreements for Grazing RAN077532 and RAN077579; Audit of Range Planning and Practices
- 25.** Thompson Rivers Natural Resource District – Range Agreements for Grazing RAN077495 and RAN077496; Audit of Range Planning and Practices
- 26.** Forest Planning at East Creek; Complaint Investigation
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- 28.** Bulletin 018 – Fire Hazard Assessment
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# Forest Practices Board

310 - 1675 Douglas Street  
PO BOX 9905 STN PROV GOVT  
VICTORIA B.C. CANADA  
V8W 9R1

TOLL-FREE 1-800-994-5899  
TEL 250-213-4700 FAX 250-213-4725  
FB: BC Forest Practices Board  
TWITTER: @BC\_FPBoard

[www.bcfpb.ca](http://www.bcfpb.ca)