



Introduction

The Forest Practices Board is British Columbia's independent forestry watchdog. On behalf of the public, it monitors and oversees forest and range practices on public land, as well as government's enforcement of the *Forest and Range Practices Act* and the *Wildfire Act*. One of the main ways the Board gathers information is through its random, field-based audits.

This report provides an overview of the Board's compliance and enforcement auditing results published in 2010. The practices included in these various reports occurred between October 2005 and July 2010. These audits tell the public if the practices of forest and range licensees and government met legal requirements, and whether government's enforcement was appropriate. The Board plans to issue a summary of its audit results on an annual basis.

These audits found a few incidents of non-compliance, some practices that could be improved, and several minor issues. We also found some examples of exemplary practices.

Cumulatively, audits may identify trends in compliance. However, they are rarely the right tool to capture broader systemic trends and issues. The Board examines these questions through special investigations or special reports, or sometimes as a result of public complaints.

Audit Process

Auditors objectively collect and evaluate evidence to determine if forestry and range activities are consistent with forest and range practices legislation and operational plans. They also ensure that licensees' forest practices are consistent with government objectives for forest resources. Board audits involve extensive fieldwork, and use standards that are consistent with those used in financial audits. The Board conducts about eight or nine compliance audits annually. When choosing an audit, it randomly selects an area of the province, such as a forest district. Then the auditors review the forest resources, geographic features and operating conditions, among other factors, in the area selected. These are considered in conjunction with Board strategic priorities (updated annually), and the type of audit is determined. At this stage, the Board chooses the auditee(s) that best suits the selected risk and priorities. The audit selections are not based on past performance. Potential auditees include holders of tree farm licences, forest licences, woodlot licences, community forests, range permit holders, British Columbia Timber Sales (BCTS) and related timber sale licence holders, as well as holders of licences to cut, which include oil and gas companies, hydro companies and independent power producers.

In 2010, the Board published nine audit reports (see table on page 9). Seven were compliance audit reports and two were enforcement audit reports, of which, five compliance and one enforcement report had no identified concerns. The audits were spread throughout the province.

2010 Published Audits

Date Published	Title	Type of Audit
March	ARC113: Coast Tsimshian Resources LP www.fpb.gov.bc.ca/ARC113_Coast_Tsimshian_Resources_LP_TFL_1.htm	Compliance: Tree Farm Licence
	ARC114: Columbia Forest District www.fpb.gov.bc.ca/ARC114_Audit_of_Forest_Legislation_Enforcement_in_the_Columbia_FD.htm	Enforcement: Forest Legislation
	ARC115: Quesnel Forest District www.fpb.gov.bc.ca/ARC115_Woodlot_Licence_W1050_in_the_Quesnel_FD.htm	Compliance: Woodlot Licence
May	ARC116: Central Cariboo Forest District www.fpb.gov.bc.ca/ARC116_Recreation_Management_and_Enforcement_in_the_Central_Cariboo_FD.htm	Compliance and Enforcement: Recreation Management
	ARC117: District of Mission www.fpb.gov.bc.ca/ARC117_District_of_Mission_TFL_26.htm	Compliance: Tree Farm Licence
June	ARC118: Seaward-tlasta Business Area www.fpb.gov.bc.ca/ARC118_BCTS_Seaward_tlasta_Business_Area.htm	Compliance: BCTS
October	ARC119: Terminal Forest Products Ltd. and Black Mount Logging Inc. www.fpb.gov.bc.ca/ARC119_Terminal_Forest_Products_Limited_and_Black_Mount_Logging_Inc_FL_A19215.htm	Compliance: Forest Licence
December	ARC120: Pacific Inland Resources www.fpb.gov.bc.ca/ARC120_Pacific_Inland_Resources_FL_A16830.htm	Compliance: Forest Licence
	ARC121: Peace Forest District – Kiskatinaw River Watershed www.fpb.gov.bc.ca/ARC121_Kiskatinaw_River_Watershed.htm	Compliance: Forestry, Oil and Gas, and Range Activities (limited scope)

Findings

Below is a summary of positive practices, areas requiring improvement,¹ and significant non-compliances² noted in the audit reports published in 2010.

Planning

Planning complied with legislation in all the audits. Two positive practices were noted in these audits. In one case, the licensee made efforts to inform local residents of forestry operations near residential areas, such as road closures and harvesting activities, through the licensee's webpage and other means. In another case, the licensee committed to initiating ongoing, regular information-sharing and consultation with First Nations at least once a year to share planning information, including the locations of proposed cutblocks and roads.

Harvesting

Board auditors sampled 124 of 210 harvest cutblocks in 7 audits. All harvesting practices complied with legislation. A number of positive practices were noted, as listed below.

¹ An area requiring improvement is a practice that may be in compliance or may be a non-compliance that is not considered significant, but is not reflective of sound forest management.

² Significant non-compliance is where a non-compliance has resulted in harm, or has the potential for harm, to persons or the environment. Assessing significance requires the exercise of professional judgment.

Riparian management practices

- Establishing wildlife tree patches around wetlands or creeks.
- Locating block boundaries outside of the riparian management zones where logical.
- Managing wetlands with adequate buffers to help maintain the integrity of the wetland.
- Removing winter crossings across fish-bearing streams before spring freshet.

Wildlife tree retention practices

- Wildlife trees retained in patches, dispersed groups and as individual stems, focusing on non-pine and deciduous species in areas prone to mountain pine beetle.
- Retaining advanced regeneration and understory that may contribute to future crops.

Soil conservation and water quality practices

- Using low-pressure ground-based equipment to minimize compaction or rutting.
- Rehabilitating temporary access structures.
- Using techniques such as grass seeding, silt fencing, ditch blocks, settling ponds, and straw bales in and around stream crossings to minimize soil erosion and sediment transfer.

Road & Bridge Construction, Maintenance and Deactivation

Auditors assessed 148 kilometres of road construction; 96 kilometres of road deactivation; over 1100 kilometres of road maintenance; 12 newly constructed bridges; and maintenance of 197 bridges. All but one of the audits found compliance with legislation. In the one instance, the licensee failed to inspect several roads it was responsible for maintaining. While no adverse effects were observed, the Board noted that this could lead to environmental harm. The Board also noted an area requiring improvement with respect to road and bridge construction that impacted fish streams.



Bridge with load restrictions posted.

In two other audits, several good practices were noted, including practices related to sediment control, minimizing soil erosion and the risk of landslides, increasing public safety and limiting the construction of new roads.

Silviculture

Auditors assessed over 290 cutblocks for silviculture practices and obligations, and all complied with legislation. One licensee was unable to confirm that regeneration obligations had been met on a cutblock (the licensee's legal responsibility), which the Board deemed to be an area requiring improvement.

One audit found considerably overdue silviculture obligations. However, these obligations were overdue because the licensee had inherited them from previous holders of the licence, who had been inactive for several years. In addition, the current licensee has made good progress on addressing these obligations.

Fire Protection Activities

The Board examined all active work sites for fire preparedness, and also audited fire hazard assessments and abatement. All audits found compliance with legislation. However, in one audit, the licensee neglected to burn the harvesting waste, resulting in a fire hazard on two cutblocks. Due to its limited scale and extent, this was not considered a significant non-compliance, but is an area requiring improvement.

Compliance and Enforcement

The Board completed two audits of the appropriateness of government enforcement of legislation in 2010.

The first audit examined forest legislation enforcement within a forest district. The Board found that overall, inspections and investigations were appropriate and generally well done. There was insufficient compliance monitoring of recreation sites and trails for the first half of the audit period, but that monitoring was subsequently improved to an appropriate degree with the implementation of a new resource management strategy.

The second audit looked at recreation management and enforcement within a forest district, and found that enforcement of authorized sites and trails was appropriate. However, the Board found a significant gap in government's enforcement of unauthorized mountain bike trails. Unauthorized trails pose a threat to the environment, forest resources, wildlife, public safety and licensed rights. Several hundred unauthorized mountain bike trails were discovered in the audit area, many of which were frequently used by commercial recreation tenure-holders and the public. Only a few trails met safety standards, raising concerns for public safety. The Board found that the discovery of unauthorized trails is largely left to complaints filed by the public; none of the three agencies responsible for enforcement in the area were actively looking for unauthorized trails in their



Terrain feature on unauthorized mountain bike trail.

compliance monitoring program. The audit also found that while some government ministries were working on finding solutions regarding how to deal with unauthorized trails, other government agencies were actively promoting their use.

Other

The audits published in 2010 examined 6 cutblocks with trails through them, 23 recreation sites, 7 designated recreation trails, 99 oil and gas wellsites and 111 oil and gas pipelines, as well as 4 range tenures.

Audit Activities Sampled/Population ³	Harvesting	Roads (km)	Bridges	Silviculture	Fire Protection
Coast Tsimshian Resources LP	23/50	181/1601	40/139	79/117	0/0
Quesnel Forest District	13/13	8/12	0/0	2/2	0/0
District of Mission	21/21	93/162	17/17	56/104	2/2
Seaward-tlasta Business Area	13/27	252/634	47/198	26/82	0/0
Terminal Forest Products and Black Mount Logging	6/6	206/221	35/42	68/98	1/1
Pacific Inland Resources	27/49	432/1365	68/156	61/264	2/2
Kiskatinaw River Watershed	21/44	204/291	2/2	0/0	0/0
TOTAL	124/210	1376/4286	209/554	292/667	5/5

Minor Issues

Minor issues were encountered during the course of these audits, but were not reported on because they were either in compliance with legislation or were not considered to be a significant non-compliance or an area requiring improvement.

Planning

In one audit, a licensee did not input information to government's Reporting Silviculture Updates and Land Status Tracking System, and annual reporting requirements were only partially met.

In another audit, the Board had an observation about opening size. The maximum cutblock size in the audit area was 60 hectares. Some areas harvested consisted of a number of individual cutblocks smaller than 15 hectares, but in close proximity to each other. When adjacent cutblocks are in close proximity, the total area may be considered as one opening, which in this case would be more than 60 hectares. Since this harvesting was done to recover beetle-killed timber, the maximum cutblock size does not apply. However, the appropriate amalgamation of adjacent cutblocks is important to ensure that an accurate patch size analysis can be completed.

³ A population is the total amount of an activity conducted in the audit period. For example, a population of 50 harvesting blocks indicates that the company operated on 50 individual cutblocks during the audit period. The sample is a subset of the population that was actually audited. If the population and sample are the same number, then 100 percent of that activity was audited.

Harvesting

In one audit, Board auditors found that a contractor piled slash on the fill slope of a road in steep terrain, and were concerned that the material could cause a landslide. Since this was an isolated incident, it was not reported.

Road & Bridge Construction, Maintenance and Deactivation

In another audit, a licensee drove all-terrain vehicles (ATVs) through small streams in order to access their infrastructure. This caused some sedimentation.



Slash piled by side of road in steep terrain.

The Board also noted an issue with public safety. When roads are not actively being used for industrial purposes, they are only maintained to address environmental concerns, and this may create a safety issue.

Fire Protection

In one case, auditors noted a licensee did not have an adequate fire suppression system on site while conducting high-risk activities. However, the licensee asserted that, if necessary, it was capable of having a helicopter equipped with a bucket on site in minutes, and the fire hazard was low at the time of the audit.

Recreation

In one enforcement audit, the Board felt that ATV use should be examined and regulated in high-risk areas. Board auditors also felt that recreation sites should be inspected (and documented) at least yearly for trees that pose a risk to public safety, and that appropriate mitigation should be completed when necessary.

Trends

Although only one woodlot report was published in 2010, that report was the third in a series of reports on five woodlots in the Quesnel area. Based on the results of those woodlots, the Board published a bulletin in March 2010 titled [Woodlot Licences – What’s a Woodlot Licensee Required to Do?](#) The audited woodlots were each unique in many different ways, including size, reason for harvest and even technical forestry skills of the woodlot holder. Auditors did note a common theme—all of these woodlot licensees are striving to be good stewards of the land and to promote sound forest management. However, the audits identified a lack of awareness or understanding of some responsibilities that come with a woodlot, and this bulletin serves as a tool to help woodlot licensees fully meet their obligations.

Conclusion

The Board published nine audit reports in 2010. These audits covered both large and small operations, including forest licences, tree farm licences and BCTS, including both certified and non-certified operations. These audits also covered a woodlot licence, occupation licences to cut held by the oil and gas industry, range tenures, as well as enforcement operations in two forest districts. Overall the results were good, with just two significant findings and three areas of improvement noted.

The Board has published over 120 audit reports since it was created in 1995. The overall trend with respect to compliance has been positive, with much fewer significant findings now than in earlier years. However, concerns with practices continue to arise on occasion and the Board encourages all licensees to continue to ensure their operations are in compliance with the *Forest and Range Practices Act* and the *Wildfire Act*. Government enforcement of forestry legislation is generally well-done; however, declining resources and increased allocation of forestry enforcement resources to other government agencies and priorities is a trend the Board will continue to monitor and report to the public.