



## **Board Bulletin, Volume 15 Public Involvement in Forest Management Planning in BC**

July 2013

*This bulletin explores an important component of a sound planning and management framework for forest management — a process for involving the public, First Nations and stakeholders. This is the fourth in a series of five new Forest Practices Board bulletins describing important issues for forest management identified in recent Board work.*

*The other bulletins in the series discuss the benefits to the BC public of having the Forest Practices Board provide independent oversight of forest and range practices, cumulative effects of natural resource development, how professional reliance is working for forest management, and the need for one land manager for public forest land. These bulletins are intended to foster discussion and encourage progress toward improved stewardship of public forest and range resources.*

### **Introduction**

Many forest licensees have effective approaches to public information and involvement that go well beyond the basic legal requirements of the *Forest and Range Practices Act* (FRPA). In the Board's experience, these licensees enjoy a higher level of public confidence and receive fewer complaints than those who do not.

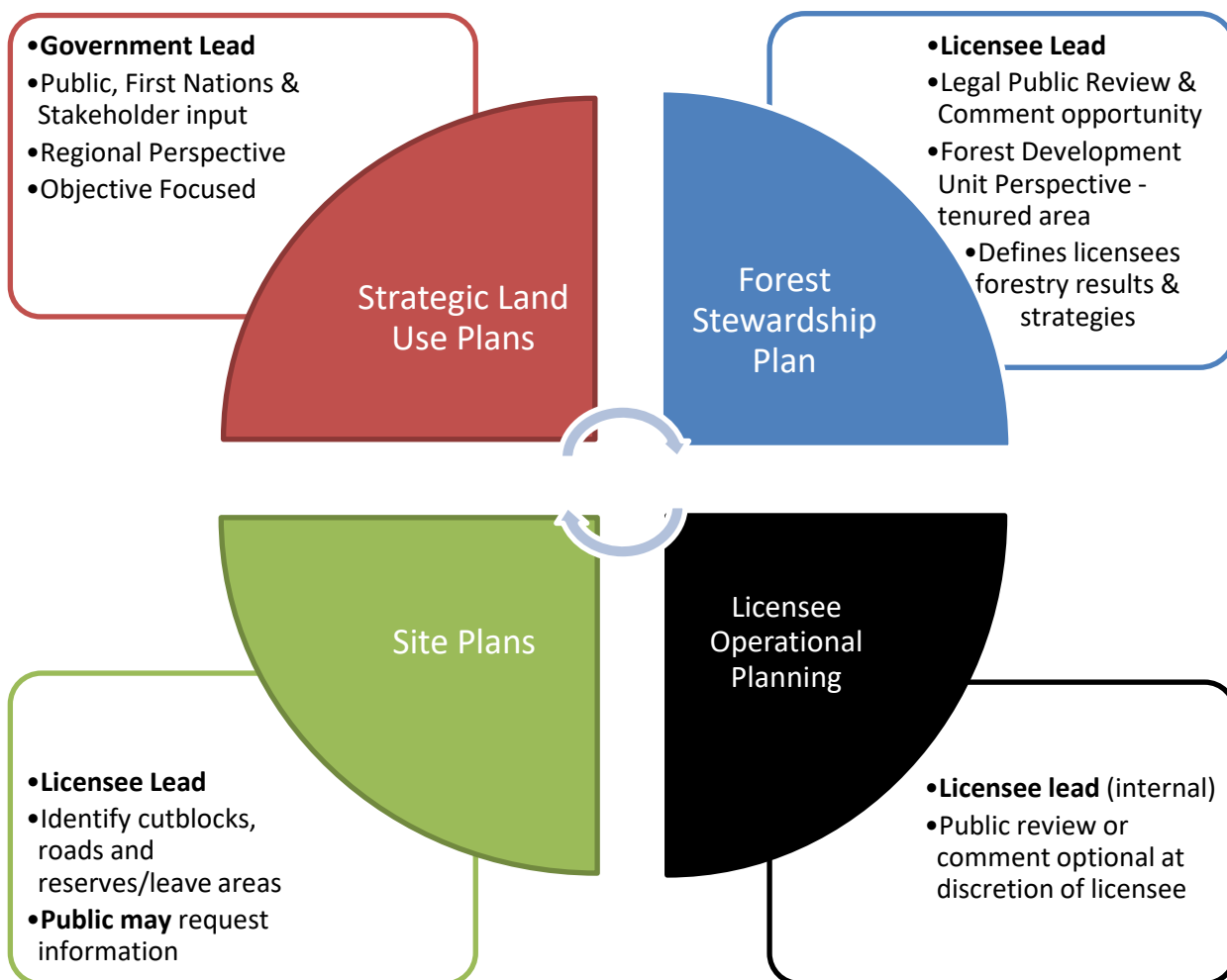
The Board believes that effective public involvement requires providing an opportunity for informed public input at the appropriate planning level. The appropriate mix of resource management activities needs to be addressed at a *broad strategic level*. Landscape-level issues, such as protecting habitat for species like caribou or grizzly bears, need to be addressed at the *landscape-level*. And specific forest development activities need to be addressed in *operational* or project plans. The Board's view is that the public must have an opportunity to provide input at all planning levels, depending on their specific interests and how they are affected by resource development.<sup>1</sup>

Effective public involvement does not necessarily mean that those who had input agree with the decision, but that they had a reasonable opportunity and their input was given due consideration. There is an onus on licensees to provide appropriate information and opportunities, and on the public to make their interests and concerns known to licensees.

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<sup>1</sup> [Opportunity for Public Consultation Under FRPA](#), Forest Practices Board Bulletin, 2003

Forest Planning Hierarchy from the Strategic to the Site Level



**Strategic Level Planning**

Land use plans express goals and objectives for the management of Crown land and resources in a broad geographic area. Within the area covered by a land use plan, there may also be operational land and resource management plans, which define specific targets and/or methods for achieving the goals and objectives in a smaller area. These plans may cover a sub-region, watershed, or other defined geographic area.

British Columbia has many land use plans that are intended to guide forest management at a broad scale. These plans were developed with a great deal of public, stakeholder and First Nations involvement. But many of the plans are more than 10 years old and in need of updating. Most of them also have a strong focus on forest management, and not the many other resources that are now being developed on public land. There are also plans for smaller areas of land, such as land and resource use plans, strategic resource management plans, integrated resources plans, and even access management plans, many of which are old and have not been updated.

The environment and the context for some of these plans have also changed, for example where mountain pine beetle has dramatically changed the forest make-up; yet the public still expects that the original objectives from the plan are in place and ought to be addressed by forestry licensees. There is currently no legislative requirement and no formal process to update these plans. The Board has recently received some complaints that arose because licensees were choosing not to implement elements of these older non-legal strategic level plans, without public involvement or input to those decisions.<sup>2</sup>

There is clearly a need to update strategic level plans for land use in BC and to provide an opportunity for the public to have input to that process. Government has recognized this need and has said it will consider re-establishing LRMP monitoring committees in high priority areas, and that it will develop a framework for community based engagement that could start being implemented in 2014.<sup>3</sup>

## Forest Stewardship Plans

With respect to forestry activities, FRPA requires licensees to prepare a forest stewardship plan (FSP), which must be made available to the public for a 60-day review and comment period. FSPs set out a licensee's stewardship commitments – in other words the results, strategies and stocking standards a licensee commits to adhere to when carrying out forest development activities. These results and strategies must be consistent with the objectives set by government.

FSPs are not required to show locations of roads or cutblocks, but do show forest development units, somewhere within which roads and harvesting will occur. In some cases the Board has seen, these forest development units are extremely large, even in the millions of hectares.

The lack of geographic detail and the size of the area covered in some FSPs can make it difficult for members of the public to know if there will be activity carried out in areas that affect them specifically, and when that might occur. The plans are also written in technical and sometimes legal language, making them difficult for the general public to understand. They set out the legal commitments the licensee is making, but do not explain how the licensee will ensure it is meeting those commitments.<sup>4</sup> These plans are approved for a five-year term and can be extended for another five years. There is a legal requirement to provide a 60-day opportunity for public review and comment on amendments to FSPs, but no such requirement for extension of an FSP. However, licensees may consult voluntarily.<sup>5</sup>

For First Nations, government has additional consultation requirements established by court decisions. The intent of First Nations consultation is to ensure Aboriginal interests are taken into account. The requirements to provide information and seek input are sometimes partly carried out by licensees. Any interests identified after the FSP approval stage must be considered in developing a cutting permit.

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<sup>2</sup> Aspen Logging – *Grazing Conflict in the Dawson Creek TSA*, June 2012, *Davidson Creek Access Management*, May 2012, Begbie Falls complaint currently under investigation

<sup>3</sup> *Beyond the Beetle, A Mid-Term Timber Supply Action Plan*, Ministry of Forests, Lands and Natural Resource Operations, October 2012

<sup>4</sup> *A Review of Early Forest Stewardship Plans Under FRPA*, May 2006  
[http://www.fpb.gov.bc.ca/SR28\\_A\\_Review\\_of\\_the\\_Early\\_Forest\\_Stewardship\\_Plans\\_Under\\_FRPA.htm](http://www.fpb.gov.bc.ca/SR28_A_Review_of_the_Early_Forest_Stewardship_Plans_Under_FRPA.htm)

<sup>5</sup> <http://www.for.gov.bc.ca/ftp/hth/external!/publish/Web/frpa-admin/frpa-implementation/bulletins/frpa-general-no-22-overview-of-fsp-extensions-may-25-2010.pdf>

A good job at the strategic planning and FSP levels can satisfy many expectations for public involvement, and may identify key areas where further communication would be desirable at the operational level.

## **Operational Planning**

Forest licensees prepare internal plans that are consistent with the higher level objectives while meeting business needs. Some licensees seek public involvement during aspects of this planning phase, others do not. The decision to consult is the licensee's.

## **Site Plans**

Achievement of government's objectives for land use depends on successful implementation of stewardship commitments through activities at the operational level.

While some people are interested in a licensee's stewardship commitments across the landscape, as discussed above, many are interested in the activities on the ground that directly affect their interests. Under FRPA, a site plan is the document that provides information on a licensee's activities on the ground. These plans are not approved by government and there is no requirement to notify the public these plans have been prepared, nor to allow for formal review or comment on the plans. However, the public has a right to see the site plans for roads or cutblocks, if they request them from the licensee.

As described by Reader (2006),<sup>6</sup> the purpose of site plans is information sharing. For those members of the public concerned about how forestry activities will affect their interests, site plans are vital. However, the public's ability and opportunity to provide input to site plans rests largely upon the willingness of the licensee to actively inform the public and share the information.

As stated in the Board's 2003 bulletin on public consultation, FRPA's requirements for public involvement in operational planning do not or cannot meet or address many of the principles of effective public consultation. The success of the public review process under FRPA would depend on all parties developing proactive and innovative approaches that bridge the gap between legislated requirements and local needs. So what has happened under FRPA?

## **The Board's Experience**

### **Public Involvement**

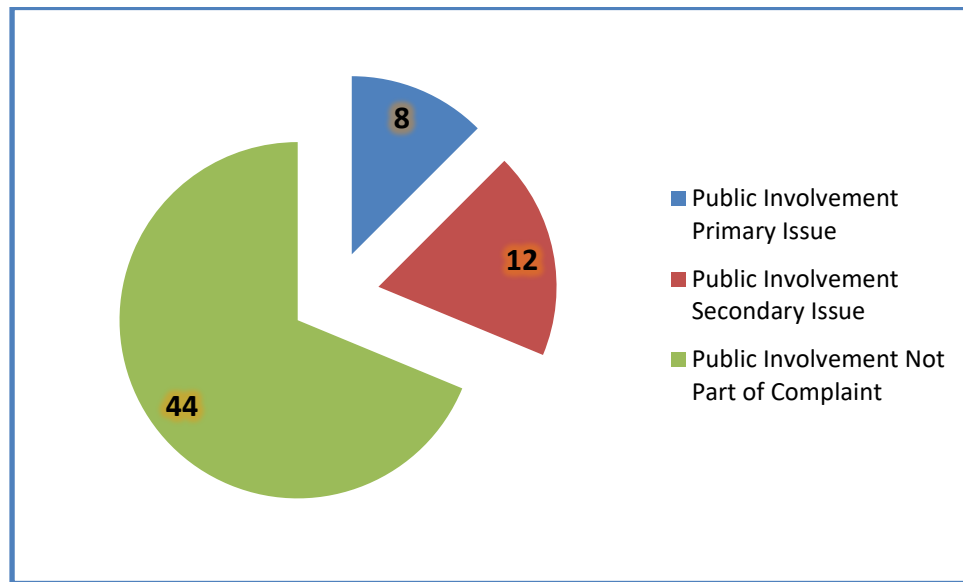
The Board reviewed the 64 complaints it has investigated under FRPA<sup>7</sup> and found adequacy of public involvement to be a common theme. In 8 of the complaints public involvement was the primary issue and in 12 cases it represented a significant part of the complaint.

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<sup>6</sup> Reader, R., *The Expectations That Affect the Management of Public Forest and Range Lands in British Columbia: Looking Outside the Legislation*, February 2006

<sup>7</sup> This includes two complaints received in 2006 and all complaints received from 2007 to the end of 2012. All other complaints involved activities and issues under the old Forest Practices Code.

Summary of complaint investigations under FRPA



Investigations of 17 of the 20 complaints have been completed at this time. These complaint investigations looked at both legal compliance and effectiveness of the licensee’s non-legal consultation efforts. In all 17 cases, the minimum legal requirements for consultation in FRPA had been met, but in only two cases were the consultation efforts of the licensee found to be effective. In seven of the cases, the consultation was not effective, but either during the investigation, or shortly afterwards, the licensees’ communication methods were improved and in a couple of cases, this resulted in the complainants concerns being resolved. In the remaining eight cases, the consultation met legal requirements but was found not effective and no improvements were made that the Board is aware of.

Of the 64 complaints received under FRPA, only one has been about a forest stewardship plan. In that complaint, the concern was that stewardship commitments made in a Forest Practices Code era pilot project were not carried forward in the new era of forest stewardship plans. Most of the complaints received under FRPA are about site-level forest or range activities.

The lack of specific information in FSPs, combined with the lack of notification that a site plan has been prepared, means most people are not aware that forestry activity is being planned in their area until they see flagging tape marking out boundaries on the ground. At that point, the plan is often complete, the activities are approved, and it may be too late for the public to influence the activities, leading to a complaint.

**Good Communication Examples**

Through our other work, we also see lots of examples of licensees who are doing a very good job of communicating with the public, going above and beyond the legal requirements. For example:

- The Prince George Timber Supply Area has a public advisory group created under a multi-licensee Canadian Standards Association certification, which is viewed as highly effective by all parties. ([http://www.sfmptsa.com/pag\\_pg.htm](http://www.sfmptsa.com/pag_pg.htm))
- A major forest licence holder in the central interior produces maps annually showing proposed and existing forestry activities and refers the maps to over 120 interested parties.

- A BC Timber Sales Business Area produces similar maps, referring them to interested parties and posting them on its website.
- A community forest produces an annual newsletter that outlines all of its proposed forest activities for the year and distributes it to all residences in the community. It also holds an annual public meeting and keeps its monthly meeting open to the public.
- Another community forest also distributes an annual report and publishes a newspaper supplement to communicate with the public.

In these examples, communication and public involvement have been effective and we have not received public complaints.

## Conclusions

In the Board's experience, many people are concerned with activities that directly affect them—their property or business interests, wildlife viewing areas, recreational trails—while others have concerns with strategic level issues, such as old growth management or wildlife habitat protection. Regardless of what type of interest people have, they need to have timely information and the opportunity to express and discuss their concerns.

At the strategic level, the Board believes BC needs a reinvigorated strategic planning process that addresses all resource land uses, and provides opportunity for the public to have input to strategic and landscape level objectives. This process ought to be led by government.

At the operational level, the Board believes licensees will often need to do more than FRPA requires if they wish to maintain or improve public acceptance. As discussed in the Board's bulletin on effective public consultation, communication needs to be an ongoing process that doesn't end when the FSP review period closes. Licensees need to ensure the interested public is aware of planned site level activities, and has an opportunity to discuss any concerns before they proceed. The Board is not getting complaints about forest stewardship plans, but we are getting complaints about site level activities where consultation is voluntary. This illustrates that some licensees are not bridging the gap between what FRPA requires, and what the local public needs.

The forest industry's social licence to operate depends on maintaining public goodwill, and that means transparent and open communication with the public. The Board, therefore, encourages all licensees to implement practices used by licensees who are leaders in public involvement, such as those outlined in the examples above, and discussed in our [2003 bulletin](#) on effective public involvement.

*We welcome your thoughts on this bulletin. You can send comments to [fpboard@gov.bc.ca](mailto:fpboard@gov.bc.ca), or join the discussion on [Facebook](#) or [Twitter](#).*

