



**Forest
Practices
Board**

Audit of Forest Planning and Practices

639881 BC Ltd.

Non-Replaceable Forest Licence A72921

FPB/ARC/173

January 2015

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Board Commentary

This audit examined forest planning and practices on non-replaceable forest licence (NRFL) A72921, held by 639881 BC Ltd., in the Nadina District, near Burns Lake, BC. The Wet'suwet'en First Nation owns 639881 BC Ltd.

The audit found one instance of significant non-compliance involving invasive plant management, one instance of an unsound forest practice involving soil disturbance, and one area of improvement for annual reporting to government, but otherwise found general compliance with the planning and practice requirements of the *Forest and Range Practices Act*. However, the audit found that the licensee did not comply with the requirements of the *Wildfire Act* to assess and abate wildfire hazards after logging.

Forest and range licence holders have the responsibility of meeting all of the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and associated regulations. Where those responsibilities are not known, or are poorly understood, the Board encourages licence holders to access information available on the internet, and contract the appropriate resource professional. In addition, the Board has recently written a new guideline, [What to Expect During a Board Compliance Audit](#), to help small licensees avoid issues most commonly found in past audits.

This is the second failed audit of a NRFL holder in the Nadina District (see [Audit of Burns Lake Specialty Wood Ltd, December, 2014](#)). These findings are troubling to the Board.

The Board understands the NRFL is under new management and requests that 639881 BC Ltd. report back by February 27, 2015, on progress made in meeting the outstanding *Wildfire Act* obligations, and on other actions implemented to address the issues identified in this audit.

Audit Results

Background

As part of the Forest Practices Board's 2013 compliance audit program, the Board selected non-replaceable forest licence (NRFL) A72921, held by 639881 BC Ltd. (639881 BC) in the Nadina District for audit. 639881 BC is owned by the Wet'suwet'en First Nation.

The audit area is within the Lakes Timber Supply Area (TSA) and includes the community of Burns Lake (see map on page 3). The TSA covers an area that ranges from Tweedsmuir Provincial Park in the south to Tildely watershed in the north, and consists of mostly flat and rolling terrain with several lakes, including Babine and Francois Lake. Highway 16 crosses the northern portion of the TSA. Cattle grazing is prominent in the Nadina District, which contains 105 active range tenures. Maintaining forage is key to a healthy cattle industry.

The *Lakes North Sustainable Resource Management Plan*ⁱ (SRMP), established by legal order in January 2009, provides biodiversity objectives and strategies for resource management in the Lakes TSA. The SRMP establishes land use objectives for seral stage distribution, old growth management areas, stand level structural diversity and habitat connectivity. The strategic and operational requirements of these plans must be followed. Government objectives set out in the *Forest and Range Practices Act* (FRPA) and the *Forest Planning and Practices Regulation* (FPPR) are also legal requirements.

Under NRFL A72921, 639881 BC has been allocated 121 704 cubic metres of timber to harvest annually. 639881 BC prepares operational plans and applies to the government for cutting and road permits to develop and harvest timber. The company must fulfill licence, permit and operational plan obligations, including timber harvesting, road work, silviculture and fire protection within cutblocks.

During the two-year audit period (September 2011 to October 2013), 639881 BC harvested approximately 86 070 cubic metres of timber, primarily to salvage timber killed by mountain pine beetle.

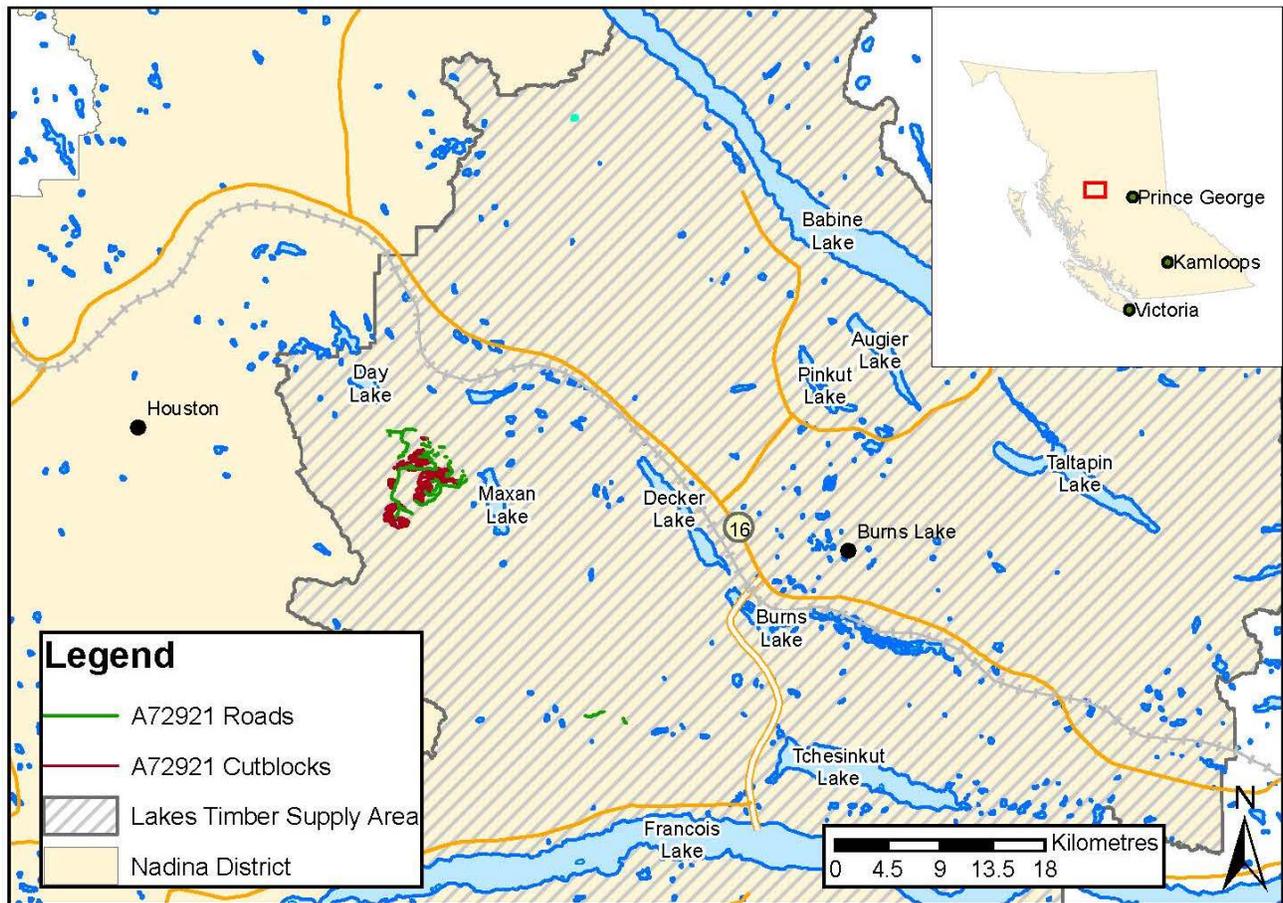


Timber harvesting near Maxan Lake in the Nadina District.

The audit team consisted of two professional foresters (one a fire behaviour specialist), a professional geologist and a chartered accountant. The Board's audit fieldwork took place from September 22 to October 8, 2013.

Additional information about the Board's compliance audit process is provided in Appendix 1.

Map of NRFL A72921 Audit Area



Audit Approach and Scope

The audit examined 639881 BC's obligations and activities using a combination of detailed office, ground and aerial reviews.

639881 BC is responsible for operational planning, including preparing forest stewardship plans (FSPs) and site plans, timber harvesting, fire protection, silviculture activities, and road and bridge construction, maintenance and deactivation related to its operations within NRFL A72921.

These activities were assessed for compliance with FRPA, the *Wildfire Act* (WA) and related regulations. All activities, planning and obligations for the period September 1, 2011, to October 8, 2013, were included in the scope of the audit.

The Board's audit reference manual, *Compliance Audit Reference Manual, Version 7.0, September 2012*, sets out the standards and procedures that were used to carry out this audit.

Planning and Practices Examined

Operational Planning

639881 BC planned its activities in its multi-NRFL forest stewardship plan, ⁱⁱ Amendment #5, approved on October 25, 2011, and expiring October 24, 2016. Auditors examined both the FSP and site plans to ensure that they were consistent with legislative requirements.

Auditors also evaluated stand level plans during harvesting, road and silviculture field sampling to ensure that they accurately identified site conditions.

Strategic requirements of the SRMP were not audited at the landscape level. Due to the relatively small area occupied by the NRFL, and the cumulative effects of larger licences on landscape level objectives (such as seral stage distribution requirements), auditors could not fairly assess the achievement of strategic requirements within the scope of the audit.

Timber Harvesting

639881 BC harvested approximately 86 000 cubic metres of timber during the 25-month audit period. The timber came from 8 cutblocks covering 606 hectares of forest, all of which were sampled during the audit.

Road and Bridges

639881 BC built 29 kilometres of in-block road and maintained 44.8 kilometres of road permit roads during the audit period. Auditors sampled all of the road construction and 31.9 kilometres of the road maintenance. 639881 BC did not deactivate any roads or construct any bridges.

Silviculture Obligations and Activities

639881 BC site prepared one cutblock, which was sampled. It did not conduct any other silviculture activities nor have any obligations due during the audit period.

Fire Protection

There were no active operations during the audit. Auditors did not audit fire preparedness.

Fire hazard assessment and abatement obligations were due on 22 cutblocks. Auditors sampled hazard assessments on 21 cutblocks and examined abatement activities on 18 cutblocks.

Findings

The auditors found that the fire protection activities carried out by 639881 BC on NRFL A72921 did not comply in all significant respects with the requirements of the WA and related regulations, as of October 2013. This is an adverse opinion for these activities and is discussed below.

An “adverse opinion” is an overall negative conclusion, which is appropriate when significant non-compliance is individually or collectively of sufficient magnitude to warrant an overall negative opinion.
(*CARM – version 7.0, September 2012 – p. 22*)

Auditors also identified a significant non-compliance involving invasive plants. 639881 BC did not achieve measures to prevent the introduction or spread of invasive plants. This case of non-compliance is discussed below.

The auditors also identified soil disturbance as an unsound forest practiceⁱⁱⁱ and annual reporting practices that require improvement.

Auditors found the other planning and activities examined were in compliance, in all significant respects, with the requirements of FRPA and related regulations, as of October 2013.

Hazard Assessment and Abatement

The WA requires licensees to conduct fire hazard assessments and abatement for industrial activities. Auditors found 639881 BC did not meet hazard assessment and abatement requirements for most of their harvest activities: none of the hazard assessments and only six percent of the abatement activities complied with the WA.

Hazard Assessment

639881 BC is required to assess the fire hazard on harvested areas and to retain the assessments should they be requested by an official.¹ Of the 21 cutblocks sampled, 639881 BC could not provide auditors with hazard assessments for 9 cutblocks. For the 12 provided, 639881 BC had not completed the assessments within the required periods and they did not accurately represent field conditions as they: combined several cutblocks with different site conditions into one assessment; combined dispersed slash and roadside log decks into one assessment when they should be calculated separately; and underestimated fuel loading and ignition risks. In addition, 639881 BC did not prescribe any hazard abatement activities on cutblocks where auditors determined site conditions warranted abatement (see Figure 1). In summary, hazard assessments were not compliant with the WA on all 21 cutblocks because they were either not provided, not completed on time and when completed, did not accurately portray site conditions.



Figure 1. Post harvest slash loading near Maxan Lake. No hazard assessment was provided for this cutblock. Abatement of dispersed and piled slash is required and is overdue.

¹ 639881 BC was conducting an industrial activity, defined in the WA, and the prescribed interval (*Wildfire Regulation* section 11(3)) for hazard assessments is every 6 months during the period it was conducting the activity, or as prescribed by a professional forester or a registered forest technologist. No other periods were prescribed so auditors used the 6 month period to assess compliance.

Hazard Abatement

The WA requires 639881 BC to abate fire hazards on harvested areas within a prescribed period.² Auditors field sampled the fire hazard on 18 cutblocks, of which 17 required hazard abatement after harvesting. Slash loading was comprised of log piles and dispersed slash, as illustrated in Figure 1. 639881 BC had abated the fire hazard in 11 of these cutblocks (Figure 2); however abatement was not done in time on all 11 and was overdue on another 6 unabated cutblocks. 639881 BC either did not conduct hazard abatement or did not complete abatement on time for 94 percent of the sampled cutblocks.



Figure 2. Abatement of slash piles. Slash piles were burned on this cutblock, but not before abatement activities were due.

Because 639881 BC did not meet WA requirements for hazard assessments on 21 cutblocks and hazard abatement on 17 cutblocks, it is in contravention of sections 7 (1) and (2) of the WA^{iv} and sections 11 and 12.1 of the *Wildfire Regulation*.^v These are significant non-compliances because 639881 BC did not minimize the risk of a fire starting, the potential fire behaviour, or the potential suppression required should a fire start. These combined significant non-compliances are of sufficient magnitude to warrant an overall negative conclusion.

Subsequent to the audit, auditors have confirmed that 639881 BC has since abated, or partially abated, fire hazard on five of the six remaining unabated cutblocks.

Invasive Plants

A person carrying out a forest practice is required to perform the measures specified in their FSP to prevent the introduction or spread of prescribed species of invasive plants. In its FSP, as a measure to prevent the introduction or spread of invasive plants, 639881 BC committed to:

- Assessing and grass seeding areas of exposed soils, where required, within one year of completion of a forest practice.
- Monitoring at least 10 percent of the sites seeded within the previous calendar year and re-seeding them, if required, to ensure the establishment of the grass.
- Prioritizing high risk areas for monitoring.

² 639881 BC is a “qualified holder,” defined in the *Wildfire Regulation*, and the prescribed period for hazard abatement is 30 months, beginning on the date harvest activities began, or as prescribed by a professional forester or a registered forest technologist. No other periods were prescribed, so auditors used the 30-month period to assess compliance.

When auditors inspected the timber harvesting and road building activities that had taken place during the audit period, they found:

- all sites inspected contained areas with exposed soils greater than 10x10 metres, both in-block and on roadsides; and
- 639881 BC had not grass seeded these sites, although harvest activities had occurred more than one year ago.

When auditors reviewed 639881 BC's management systems, they found that 639881 BC:

- had no record of a formal assessment, seeding or monitoring program;
- had not grass seeded areas with exposed soils, including those more than a year old; and
- had no record of a risk rating system to prioritize seeding and monitoring, although they stated that they informally monitor all sites.

Because 639881 BC did not carry out the measures specified in its FSP, 639881 BC is in contravention of section 47(1) of FRPA.^{vi} This is a significant non-compliance because 639881 BC did not take the necessary precautions to prevent the introduction or spread of invasive plants, particularly in a district where maintaining forage is key to a healthy cattle industry.

Soil Disturbance

The FPPR requires that an agreement holder carrying out timber harvesting not cause the amount of soil disturbance in the area to be reforested to exceed 10 percent on non-sensitive soils and 25 percent within roadside work areas.

Auditors reviewed harvest activities and found that soil disturbance appeared to be high on one 22.7 hectares cutblock. Logging operations had caused ruts, compaction and stripping of the forest floor throughout the cutblock. Auditors then conducted a reconnaissance survey, and estimated soil disturbance in the cutblock to be greater than the allowable 10 percent. This finding is considered an unsound forest practice.

Annual Reporting

The FPPR requires that an agreement holder, before June 1 of each year, report information to the government regarding harvest activities, wildlife tree retention areas, resource features, seed use and forest cover changes, for activities that occurred during the previous reporting period. Reporting through RESULTS^{vii} is a generally accepted form and manner satisfactory to the minister for annual report submissions.

In September 2013, auditors reviewed 639881 BC's RESULTS submissions for the audit period and found that the company did not meet its annual reporting requirements for 2012. Annual report submissions had not been made by June 1 of the year following the reporting period for activities that occurred in 14 cutblocks during 2010, 2011 and 2012. 639881 BC updated its RESULTS submissions later in November and December of 2012 and reporting is now up-to-date. The submissions met the content requirements of FPPR.

Since 639881 BC did not fulfill its annual reporting requirements on time during the audit period, it is in contravention of section 86 (3) of FPPR.^{viii} Since reporting was brought up to date during the audit period, this is considered to be an area requiring improvement.

Operational Planning

Other than the invasive plants finding, 639881 BC's planning and activities were consistent with the FSP and legislative requirements.

The FSP was consistent with legislated requirements and addressed FRPA objectives. Planning at the stand level was consistent with the FSP.

639881 BC addressed site-specific resources in the site plans by accurately identifying and prescribing practices for resource features, including soils, streams and wetlands, recreation trails, visually sensitive areas and cultural or heritage sites.

Harvesting

Harvesting was conducted in accordance with legislative requirements and site plan provisions.

The majority of harvesting targeted stands affected by mountain pine beetle and was done with ground-based harvest systems. To help conserve the productivity and hydrological function of soils, 639881 BC maintained natural drainage patterns and generally restricted activities on sensitive soils. Equipment operators retained trees, vegetation and restricted machine traffic to help protect riparian, visual, cultural, recreational and wildlife habitat interests.

Roads and Bridges

Road construction and maintenance activities were consistent with legislative requirements. New road construction consisted of roads built within cutblocks (in-block roads) and short sections of haul roads.

Auditors found that roads were generally well constructed and maintained. 639881 BC installed drainage structures to maintain natural drainage patterns. No roads were deactivated and no bridges were constructed or maintained during the audit period.

Silviculture Activities and Obligations

There were no silviculture obligations due during the audit period, therefore no opinion is provided with respect to the components of FRPA related to silviculture obligations.

One block was site prepared, and this was audited. When 639881 BC site prepared a portion of this cutblock, it may have added to the high soil disturbance found on this block (see the *Soil Disturbance* section).

Other than the reporting finding, no other silviculture activities occurred during the audit period.

Fire Protection

There were no active operations during the audit, therefore no opinion is provided with respect to the components of the *Wildfire Act* related to active sites.

Hazard assessment and abatement activities did not comply with the *Wildfire Act*, as discussed above.

Audit Opinion

In my opinion, the fire protection activities carried out by 639881 BC Ltd. on non-replaceable forest licence A72921 between September 1, 2011, and October 8, 2013, did not comply in all significant respects with the requirements of the *Wildfire Act* and related regulations, as of October 2013. No opinion is provided regarding fire tools.

As described in the *Hazard Assessment and Abatement* section of this report, the concerns identified regarding fire protection activities carried out by 639881 BC Ltd. are representative of the activities audited and are found to not be in compliance with WA.

In my opinion, with one exception, the operational planning, timber harvesting, road construction and maintenance, and silviculture activities carried out by 639881 BC Ltd. on non-replaceable forest licence A72921 between September 1, 2011, and October 8, 2013, complied in all significant respects with the requirements of the *Forest and Range Practices Act* and related regulations, as of October 2013. No opinion is provided regarding road deactivation or silviculture obligations.

As described in the *Invasive Plants* section of this report, the audit identified a situation of significant non-compliance related to the control of invasive plants.

Without further qualifying my opinion, as described in the *Soil Disturbance* section of this report, the audit identified high soil disturbance in one cutblock as an unsound forest practice.

Also without further qualifying my opinion, as described in the *Annual Reporting* section of this report, the audit identified annual reporting as an area requiring improvement.

In reference to compliance, the term “in all significant respects” recognizes that there may be minor instances of non-compliance that either may not be detected by the audit, or that are detected but not considered worthy of inclusion in the audit report.

The *Audit Approach and Scope* and the *Planning and Practices Examined* sections of this report describe the basis of the audit work performed in reaching the above conclusion. The audit was conducted in accordance with the auditing standards of the Forest Practices Board. Such an audit includes examining sufficient forest planning and practices to support an overall evaluation of compliance with FRPA and WA.



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Victoria, British Columbia
January 14, 2015

Appendix 1: Forest Practices Board Compliance Audit Process

Background

The Forest Practices Board conducts audits of government and agreement-holders under the *Forest and Range Practices Act* (FRPA), section 122 and the *Wildfire Act* (WA). Compliance audits examine forest or range planning and practices to determine whether or not they meet FRPA and/or WA requirements.

Selection of Auditees

The Board conducts about eight or nine compliance audits annually. Most of these are audits of agreement holders. The Board also audits the government's BC Timber Sales Program (BCTS). This section describes the process for selecting agreement holders to audit.

To begin with, auditors randomly select an area of the Province, such as a district. Then the auditors review the forest resources, geographic features, operating conditions and 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, we choose the auditee(s) that best suits the selected risk and priorities. The audit selections are not based on past performance.

For example, in 2010, the Board randomly selected the Mackenzie district as a location for an audit. After assessing the activities within that area, we discovered that a large licensee had recently closed operations due to financial problems. As the Board has expressed concern in the past about financially strapped companies failing to meet outstanding obligations, such as reforestation and road maintenance, and we knew that some of the licence area is very remote, the new licence holder was selected for audit.

For BCTS audits, a district within 1 of the 12 business areas within the province is selected randomly for audit.

Audit Standards

Audits by the Board are conducted in accordance with the auditing standards developed by the Board. These standards are consistent with Canadian generally accepted auditing standards. The standards for compliance audits are described in the Board's *Compliance Audit Reference Manual*.

Audit Process

Conducting the Audit

Once the Board randomly selects an area or district and determines the scope of audit to be conducted and the licensee(s) to be audited, all activities carried out during the period subject to audit are identified (such as harvesting or replanting, and road construction or deactivation activities). Items that make up each forest activity are referred to as a population. For example, all sites harvested form the timber harvesting population and all road sections constructed form the road construction population.

A separate sample is then selected for each population (e.g., the cutblocks selected for auditing timber harvesting). Within each population, more audit effort (i.e., more audit sampling) is allocated to areas where the risk of non-compliance is greater.

Audit fieldwork includes assessments of features using helicopters and ground procedures, such as measuring specific features like riparian reserve zone width. The audit teams generally spend one week in the field.

Evaluating the Results

The Board recognizes that compliance with the many requirements of FRPA and WA is more a matter of degree than absolute adherence. Determining compliance, and assessing the significance of non-compliance, requires the exercise of professional judgment within the direction provided by the Board.

The audit team, composed of professionals and technical experts, first determines whether forest practices comply with legislated requirements. For those practices considered to not be in compliance, the audit team then evaluates the significance of the non-compliance, based on a number of criteria, including the magnitude of the event, the frequency of its occurrence and the severity of the consequences.

Auditors categorize their findings into the following levels of compliance:

Compliance – where the auditor finds that practices meet FRPA and WA requirements.

Not significant non-compliance – where the auditor, upon reaching a non-compliance conclusion, determines that one or more non-compliance event(s) is not significant and not generally worthy of reporting. However, in certain circumstances, events that are considered not significant non-compliance may be reported as an area requiring improvement.

Significant non-compliance – where the auditor determines a non-compliance event(s) or condition(s) is or has the potential to be significant, and is considered worthy of reporting.

Significant breach – where the auditor finds that significant harm has occurred, or is beginning to occur, to persons or the environment as a result of one or many non-compliance events.

If it is determined that a significant breach has occurred, the auditor is required by the *Forest Practices Board Regulation* to immediately advise the Board, the party being audited, and the Minister of Forests, Lands and Natural Resource Operations.

Reporting

Based on the above evaluation, the auditor then prepares a draft audit report. The party being audited is given a draft of the report for review and comment before it is submitted to the Board.

Once the auditor submits the draft report, the Board reviews it and determines if the audit findings may adversely affect any party or person. If so, the party or person must be given an opportunity to make representations before the Board decides the matter and issues a final report. The representations allow parties that may potentially be adversely affected to present their views to the Board.

The Board then reviews the draft report from the auditor and the representations from parties that may potentially be adversely affected before preparing its final report. Once the representations have been completed, the report is finalized and released: first to the auditee and then to the public and government.

ENDNOTES

ⁱ The Lakes North Sustainable Resource Management Plan (LRMP) is a long-term plan for land use and resource development on Crown land within the Nadina Forest District. This plan is based on the principles of integrated resource management and sustainability. For more information the see the PGLRMP web site at:

http://www.ilmb.gov.bc.ca/slrp/srmp/north/lakes_north/index.html

ⁱⁱ A forest stewardship plan (FSP) is a key planning element in the FRPA framework and the only plan subject to public review and comment and government approval. In FSPs licensees are required to identify results and/or strategies consistent with government objectives for values such as water, wildlife and soils. These results and strategies must be measurable and once approved are subject to government enforcement. FSPs identify areas within which road construction and harvesting will occur but are not required to show the specific locations of future roads and cut blocks. FSPs can have a term of up to five years.

ⁱⁱⁱ Unsound forest or range practices are significant identified practices that, although they are found to be in compliance with FRPA or WA, are considered to not be sound management. In these cases, the Board may wish to not only report the practices, but may also make a recommendation, either to mitigate potential harm or as a deterrent to continuing the practice in future.

These items could include a compliant forest or range activity, or activities, that is not considered sound management, and that, if repeated by the auditee, is likely to cause harm to personal safety or the environment.

- For example, where a non-professional amends a professionally developed plan in a substantial manner, without a documented, sound rationale and without consulting a qualified registered professional — such as changing the harvest system or side-casting road building material where full bench end-haul was prescribed.
- For example, where the auditee has harvested a 60-hectare cutblock and has caused extensive soil disturbance on a 5-hectare patch of the cutblock. Although the auditee is allowed under legislation to cause 6 hectares (10 percent) of soil disturbance across the cutblock, the fact that the disturbance is focussed in one area is not considered sound forest management and has caused harm to the environment.

iv **Wildfire Act: Hazard assessment and abatement**

- 7 (1) In prescribed circumstances and at prescribed intervals, a person carrying out an industrial activity or a prescribed activity on forest land or grass land or within 1 km of forest land or grass land must conduct fire hazard assessments.
- (2) A person, other than a person who is in a prescribed class of persons referred to in subsection (2.1), carrying out an industrial activity or a prescribed activity, must, within a prescribed time period and to the prescribed extent, abate a fire hazard of which the person is aware or ought reasonably to be aware.

v **Wildfire Regulation: Hazard assessment and Abatement**

Hazard assessment

- 11 (1) For the purposes of section 7 of the Act,
 - (a) each of the following is a prescribed activity under subsections (1) and (2) of that section:
 - (i) operating a waste disposal site;
 - (ii) operating a dry land sort;
 - (iii) operating a camp associated with an industrial activity, and
 - (b) each of the following is a prescribed circumstance under subsection (1) of that section:
 - (i) an industrial activity or an activity prescribed under paragraph (a) of subsection (1) creates or increases a fire hazard or is likely to do so;
 - (ii) an official notifies a person carrying out an industrial activity or an activity prescribed under paragraph (a) of subsection (1) that a fire hazard exists at the site of the activity or operation.
- (2) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are
 - (a) 3 month intervals during the period in which the persons are carrying on the industrial activity or the prescribed activity in an area inside, or within 2 km of, the boundaries of
 - (i) a local government under paragraphs (d) to (f) of the definition of "local government" in section 1 of the Act, or
 - (ii) a fire protection district in a regional district, and

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- (b) the shorter interval between the most recent 3 month interval and the date on which the activity ceases for an expected period of 3 months or more.
 - (3) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are
 - (a) 6 month intervals during the period during which the persons, in any area other than the area described in subsection (2), are carrying on the industrial activity or the prescribed activity, and
 - (b) the shorter interval between the most recent 6 month interval and the date on which the activity ceases for an expected period of 6 months or more.
 - (3.1) The prescribed intervals, at which a person described in section 7 (1) of the Act who is a qualified holder must conduct fire hazard assessments, are the intervals
 - (a) set out in subsection (2) or (3) of this section, as applicable, or
 - (b) specified by a professional forester or a registered forest technologist.
 - (4) A person required to conduct a fire hazard assessment under section 7 (1) of the Act must
 - (a) ensure that the fire hazard assessment includes an assessment of the fuel hazard and its associated risk of a fire starting or spreading, and
 - (b) provide a copy of the fire hazard assessment when requested to do so by an official.
 - (5) A person referred to in section 7 (1) of the Act is exempt from section 7 (1) of the Act in respect of an area if a person referred to in section 7 (2.1) of the Act is required to abate fire hazards in respect of that area.

Hazard abatement: general

- 12 (1) The following periods are prescribed as the periods in which persons described in section 7 (2) of the Act must abate fire hazards of which the persons are aware or ought reasonably to be aware:
 - (a) for an area described in section 11 (2) (a) of this regulation, each of the 6 month periods beginning on the dates on which the persons are required under section 7 (1) of the Act to conduct fire hazard assessments;
 - (b) for an area other than an area described in section 11 (2) (a) of this regulation, each of the 12 month periods beginning on the dates on which the persons are required under section 7 (1) of the Act to conduct fire hazard assessments.
- (2) A person required to abate a fire hazard under section 7 (2) of the Act must reduce the fuel hazard on the site of the industrial activity or prescribed activity as necessary to ensure that carrying out the activity
 - (a) does not increase the risk of a fire starting on the site, and
 - (b) if a fire were to start, would not increase the fire behaviour or fire suppression associated with the fire.
- (3) This section does not apply to a person who is a qualified holder.

Hazard abatement: qualified holders

- 12.1 (1) In this section, "**abatement area**" means each area within which the industrial activity or prescribed activity takes place in each consecutive 12 month period that occurs after the date the activity begins.
- (2) The following periods are prescribed as the periods in which a person described in section 7 (2) of the Act who is a qualified holder must abate fire hazards of which the person is aware or ought reasonably to be aware:
 - (a) for each abatement area within an area described in section 11 (2) (a) of this regulation, a period of 24 months, beginning on the date the industrial activity or prescribed activity begins in the abatement area,
 - (b) for each abatement area within an area other than an area described in section 11 (2) (a) of this regulation,
 - (i) a period of 30 months, beginning on the date the industrial activity or prescribed activity begins in the abatement area, or
 - (ii) the period specified by a professional forester or registered forest technologist under the *Foresters Act*.
- (3) A person required to abate a fire hazard under section 7 (2) of the Act who is a qualified holder must reduce the fuel hazard on the site of the industrial activity or prescribed activity
 - (a) as necessary to ensure that carrying out the activity
 - (i) does not increase the risk of a fire starting on the site, and
 - (ii) if a fire were to start, would not increase the fire behaviour or fire suppression associated with the fire,
 - (b) as specified by a professional forester or registered forest technologist under the *Foresters Act*.

Hazard abatement: fibre recovery tenure holders

- 12.2** (1) Fibre recovery tenure holders are prescribed for the purposes of section 7 (2.1) of the Act.
- (2) The following periods are prescribed for the purposes of section 7 (2.1) of the Act:
- (a) 6 months after the date the fibre recovery tenure holder is issued with the forestry licence to cut or fibre recovery permit, as applicable, in respect of an area, if the area is located inside, or within 2 km of, the boundaries of
 - (i) a local government referred to in paragraph (d), (e) or (f) of the definition of "local government" in section 1 of the Act, or
 - (ii) a fire protection district in a regional district;
 - (b) 12 months after the date the fibre recovery tenure holder is issued with the forestry licence to cut or fibre recovery permit, as applicable, in respect of an area, other than an area described by paragraph (a).
- (3) The prescribed extent for the purposes of section 7 (2.1) of the Act is the extent necessary to ensure that, at the conclusion of the abatement operations, there are not more than 2 piles, each not exceeding 5 m³ in volume, of Crown timber on any hectare within the forestry licence to cut area or fibre recovery permit area, as applicable.

^{vi} **FPPR - Invasive plants**

- 47** (1) A person carrying out a forest practice or a range practice must carry out measures that are
- (a) specified in the applicable operational plan,
 - (b) to prevent the introduction or spread of prescribed species of invasive plants.

^{vii} The **RESULTS** (Reporting Silviculture Updates and Land status Tracking System) application tracks silviculture information by managing the submission of Openings, Disturbances, Silviculture activities and Obligation declarations as required by the Forest and Range Practices legislation.

^{viii} **FPPR - Annual reports**

- 86** (3) Before June 1 of each year, an agreement holder must report to the district manager
- (a) for each area in which timber harvesting was completed during the reporting period and to which section 29 of the Act applies or to which section 44 (4) of this regulation applies, the following information:
 - (i) the area in which the harvesting occurred;
 - (ii) the amount of area that was harvested;
 - (iii) an update of the forest cover inventory;
 - (iv) the location and approximate size of all associated wildlife tree retention areas,
 - (b) the location of any resource feature or wildlife habitat feature in or contiguous to a cutblock or road of which feature the holder is aware during the reporting period if
 - (i) the holder has not, in a previous reporting period, reported the resource feature or wildlife habitat feature, and
 - (ii) the order establishing the resource feature or wildlife habitat feature requires the location of the resource feature or wildlife habitat feature to be reported under this section,
 - (c) the pertinent information about seeds used during the reporting period to grow seedlings planted by the holder in cutblocks on the land to which the agreement pertains,
 - (d) an update of the forest cover inventory for each area in which during the reporting period
 - (i) the requirements for the regeneration date have been met,
 - (ii) the requirements for the regeneration date have not been met but the regeneration date has passed,
 - (iii) a free growing stand has been declared under section 97 or 97.1 of this regulation or the requirements of section 46.11 (2) (b) of this regulation have been met, or
 - (iv) a free growing stand has not been established, but the free growing date has passed, and
 - (e) a summary of any silviculture treatments that were carried out during the reporting period.



**Forest
Practices
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