



Reference: 221721

May 13, 2016

Tim Ryan, Chair  
Forest Practices Board  
PO Box 9905 Stn Prov Govt  
Victoria, British Columbia  
V8W 9R1

Dear Tim Ryan:

On behalf of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO), please accept this letter as the Government of British Columbia's response to the Forest Practices Board's recommendations in its report: *Access Management and Resource Roads: 2015 Update (April 2015)*.

The ministry appreciates the board's detailed evaluation and recommendations to strengthen access management in British Columbia. Please be assured that the board's report is actively being considered as we take steps to continuously improve the management of resource roads in British Columbia.

The following reflects the ministry's response to the board's six recommendations:

***Recommendation to Government***

1. The Board recommends that government improve the current information on resource roads by providing a web site 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.

***Government response:***

FLNRO's Engineering Branch is continuing to update government's inventory of resource roads. This process includes ongoing updates to our roads database as well as improving the utility of electronic systems to support public access to current resource roads information.

We appreciate the board's follow-up on this recommendation, which further illustrated to ministry staff the potential utility of "OpenStreetMap" as an online tool to enable government and the public to update resource roads information. We are taking the board's ideas under advisement as we continuously improve our roads inventory and electronic systems.

***Recommendation to Government***

2. The Board recommends 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.

***Government response:***

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 through a number of initiatives including the Cumulative Effects Framework, the Common Objectives projects, and other work underway through the leadership of the Natural Resource Permitting Project.

As the board outlined in its report, district-level access planning initiatives do occur in some areas of the province where non-industrial users have expressed access concerns. These local initiatives have been shown, in many cases, to satisfactorily address access concerns as they arise through stakeholder engagement in road planning and decision-making. However, we recognize that there are areas within the province with ongoing access concerns related to conflicts between resource users and these areas continue to be worked on at the local level.

In the event that local access conflicts are not resolved, or if conservation, recreation or other resource values are at risk, government may take legal steps to restrict access to Crown land using mechanisms enabled through the *Land Act* the *Off-Road Vehicle Act*, the *Wildlife Act*, and the *Forest and Range Practices Act* (FRPA).

***Recommendation to Government***

3. The Board recommends 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).

***Government response:***

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. Notifications are proposed to cover: notice of commencement of construction, transfers of maintenance obligations, and advance notification of proposed deactivation. Government will consider the feedback of road users and may provide opportunities to keep more roads open for motorized access if the environmental hazards are considered acceptable.

Development of the NRRA is underway.



***Recommendation to Government***

4. The Board recommends government address part of this issue by implementing 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.”

***Government response:***

The ministry has discussed this recommendation with the Ministry of Transportation and Infrastructure. At this time, the two ministries 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.

However, these resource roads will continue to be managed (budgeted, inspected, repaired and maintained) as Forest Service Roads (FSRs) with consideration of the needs of communities, rural residents, and recreation users.

***Recommendation to Government***

5. The Board recommends that, until comprehensive legislation is passed, government address many of the operational issues with minor regulatory changes, by developing clear policies and by promoting and supporting the work of local road management committees.

***Government response:***

Operational issues, including those identified by the Board, are being addressed under the proposed NRRA. Until such time as the legislation is enacted, the ministry will continue to rely on existing mechanisms to address operational issues (e.g., licences, permits, and road maintenance agreements). FLNRO continues to promote the establishment and use of local road use committees to help address local issues as they arise.

The proposed NRRA is also intended to clarify maintenance and deactivation obligations for resource roads. For example, deactivation (including barricades to vehicle traffic) could be the default obligation for all roads under permit, excluding FSRs. Anything less than this standard could be considered maintenance.

Lastly, the proposed NRRA includes a comprehensive safety framework that establishes road user rules to promote safe use of resource roads.

***Recommendation to Government***

6. The Board recommends government complete an inventory of non-status roads and roads on forestry cutblocks, 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.

***Government response:***

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 proposed to continue under the proposed NRRA. Amongst other obligations, they would specify construction, maintenance and deactivation in a manner that protects FRPA's resource values by requiring licensees to minimize soil disturbance; re-vegetate disturbed soils; maintain natural surface drainage patterns; prevent harmful landslides and gully processes; and prevent harm to streams, fish and fish habitat, and water quality.

Under the ministry's proposed Road Infrastructure Asset Management Plan, we are using spatial and non-spatial data to populate our inventory of all FSRs, non-status roads of significance to the Crown, and other roads with liabilities. This inventory will specify risk-ratings and associated inspection, maintenance or deactivation plans.

**Summary:**

The ministry will continue to consider the board's report and recommendations as we move forward with improving resource road management and safety in British Columbia. In particular, we believe the proposed NRRA will represent a significant milestone towards this goal.

Ministry staff would be pleased to discuss with the board how we are addressing the board's observations and recommendations through our resource roads inventory and development of the proposed NRRA. Please contact Lyle Knight, Manager, Resource Roads, Engineering Branch, at [Lyle.Knight@gov.bc.ca](mailto:Lyle.Knight@gov.bc.ca), if you would like to organize a meeting or if you have any questions about this response.

For more information regarding strategic planning initiatives and how they are considering access, please contact Jennifer Psyllakis, Manager, Land and Resource Use, Resource Management Objectives Branch, at [Jennifer.Psyllakis@gov.bc.ca](mailto:Jennifer.Psyllakis@gov.bc.ca).

For more information regarding management requirements under the *Forests and Range Practices Act* (FRPA), or on integrated stewardship activities, please contact Norah White, Assistant Manager, Stewardship, Resource Practices Branch, at [Norah.White@gov.bc.ca](mailto:Norah.White@gov.bc.ca).

Yours truly,



T. R. (Tim) Sheldan  
Deputy Minister



pc: Jason Fisher, Associate Deputy Minister, Forest Sector  
Tom Jensen, Assistant Deputy Minister, Timber Operations, Pricing and First Nations  
Division  
Tom Ethier, Assistant Deputy Minister, Resource Stewardship Division  
Diane Nicholls, Chief Forester  
Peter Wyatt, Director, Engineering Branch  
Allan Lidstone, Director, Resource Management Objectives Branch  
Jennifer Davis, Director, Resource Practices Branch  
Lyle Knight, Manager, Resource Roads, Engineering Branch  
Jennifer Psyllakis, Manager, Land and Resource Use, Resource Management  
Objectives Branch  
Norah White, Assistant Manager, Stewardship, Resource Practices Branch

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July 13, 2016

Tim Sheldon, Deputy Minister  
Ministry of Forest Lands and Natural Resource Operations  
PO Box 9352  
Stn Prov Govt  
Victoria, BC V8W 9M1

Dear Tim Sheldon:

**Re: Government reply to the Forest Practices Board recommendations in the special report  
Access Management and Resource Roads: 2015 Update.**

Thank you for the response to the six recommendations in our report assessing access management in British Columbia.

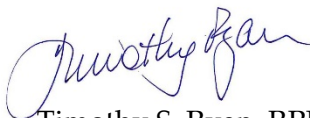
Our report was a review of what has happened in the intervening years since the Board's first report on access management was published in 2005, [\*Access Management in BC – Issues and Opportunities\*](#), and a summary of the state of access management in 2015. The Board made six recommendations to address the lack of knowledge about the resource road inventory, the need for strategic initiatives to ensure access is properly managed, and the need to get on with addressing operational management issues.

We are disappointed that government is not adopting our recommendations but we are hopeful that government has a plan to improve access management and that the initiatives it has underway will be helpful.

We hope that in five years if we undertake another review of access management, the issues identified in our 2005 report and in our 2015 report will have been resolved.

We will now consider this filed closed.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Ryan", is written over the typed name.

Timothy S. Ryan, RPF  
Chair