



2003 ANNUAL REPORT



LETTER OF TRANSMITTAL



Honourable Michael de Jong
Minister of Forests

Honourable Roger Harris
Minister of State for Forestry Operations

Honourable Bill Barisoff
Minister of Water, Land and Air Protection

Honourable George Abbott
Minister of Sustainable Resource Management

Honourable Richard Neufeld
Minister of Energy and Mines

Dear Ministers:

It is with pleasure that I submit to you the Annual Report of the Forest Practices Board. This report contains information on the affairs of the Board for the year ending December 31, 2003.

Yours sincerely,

Bruce Fraser, Ph.D
FOREST PRACTICES BOARD CHAIR

TABLE OF CONTENTS

STATEMENT FROM THE CHAIR	5
2003 – MAJOR ACHIEVEMENTS	9
Effectiveness Auditing Pilots - Soils and Riparian Values	9
Effectiveness Evaluation - Free-Growing Report	10
Species at Risk – Marbled Murrelet	13
Third-Party Certification	14
Legislative Amendments	17
Due Diligence Bulletin	18
Professional Reliance	21
Stone Fire Case – Supreme Court of Canada	22
THE BOARD	24
Board Members	24
Budget and Expenditures	25
Communication with the Public	26
PROGRAM ACCOMPLISHMENTS	27
Auditing Forest Practices	27
Investigating Public Complaints about Forest Practices	27
Special Investigations and Reports	28
Legal Program/Reviews and Appeals	29
Summary of Audit Reports Released in 2003	30
Summary of Audits Undertaken in 2003	34
Complaints Received in 2003 and Subject Matter of Complaints	37
Publications Released in 2003	IBC



"WE WILL ALSO MAINTAIN OUR COMMITMENT TO OUR ROLE AS THE STEWARD OF THE PUBLIC INTEREST BY PROVIDING THE HIGHEST QUALITY OF INFORMATION BASED ON OUR ESTABLISHED STANDARDS OF PRACTICE, OUR EMPHASIS ON INDEPENDENT FIELD WORK, AND OUR SUPPORT FOR THE CONTINUOUS IMPROVEMENT OF FOREST PRACTICES."

STATEMENT FROM THE CHAIR

The Forest Practices Board has adopted four strategic directions to govern our response to the context of changing forest practices regulation in British Columbia.

1. Promote stewardship of the full range of forest values that reflect the broad public interest in forest lands.
2. Contribute to the development of objectives, management strategies and forest practices that are reflected in measurable performance standards.
3. Provide independent assessments of the effectiveness of forest practices based on a continuing commitment to field work.
4. Contribute to an active public dialogue to enhance understanding of the changing legislation and forest management practices that affect forest values.

The Forest Practices Board, acting as a steward of the public interest, has an important role to play in the implementation of the new *Forest and Range Practices Act* (FRPA). Under the previous Forest Practices Code, the regulatory regime mandated specific practices and the Board evaluated degrees of compliance with the legal prescriptions. Under the new legislation, the regulatory regime identifies values and objectives to be reached, but allows professional discretion in the formulation of plans and selection of practices to serve the values and reach the objectives.

In this new environment, the Board will reduce the emphasis on assessing compliance with prescriptive rules and focus on the effectiveness of forest practices in achieving results consistent with the values articulated and the objectives set by government. This evolution to “results-based” regulation of forest practices requires the Board to adapt its audit, complaint investigation and special investigation

methods to ensure that we are assessing the degree to which desired results are being achieved by the methods being practiced on the ground. While we must adapt our investigative methods, we must also remain committed to the principles of independence, transparency and administrative fairness that are so critical to our public responsibilities.

Engagement in the Process of Change

While the Board contributes to the public system of democratic checks and balances by acting as an independent auditor of the effectiveness of forest practices, it must also be an active contributor in times of major change. As the province implements the new legislation, the Board intends to work cooperatively with government land and resource agencies, industry, organized interest groups and members of the public to test the new regime. Constructive revision of the new system, evolution of forest practices science and development of underlying professional relationships will all benefit from an experimental climate and an intense commitment to respectful debate.

Standards, Indicators and Methods

No area of system development is more important than improving the measurability of results. The objectives set by government, upon which forest stewardship plans (FSP) are to be based, need to be measurable so that their degree of achievement can be assessed. The results and strategies specified by forest licensees in FSPs need to be measurable so that the effectiveness of operational practices can be assessed against explicit criteria. Measurability is the key to the ability of the Forest Practices Board, the compliance and enforcement agencies of government, and certification

auditors to determine what is working and what needs to be improved. If forestry professionals are to have a sound basis for attributing on the ground results to practices performed in forestry operations, we will need a body of generally accepted indicators of performance and standard methods of measurement of the status of indicators. The Board is committed to working with all parties to develop, test and refine this essential part of forest science.

Responding to Strategic Influences

Amongst many, there are four particular strategic influences on the work of the Board that are occupying our attention. The first of these is the development of private sector forest certification schemes and their increasing adoption by the British Columbia forest industry. Most of the largest forest companies are employing a combination of certification schemes and developing both internal management systems and external auditing commitments demanded by the competitive marketplace. As these proprietary systems mature, the Forest Practices Board is examining the potential for reliance on their results to reduce our work, while maintaining the independence, rigour and public transparency of our audit and investigation reports.

The second major influence is the emergence of large scale ENGO-Industry partnerships that are developing protocols and agreements that can influence the allocation and management of Crown land. Arrangements made by these partnerships, often in the context of higher level land use planning, will influence the objectives being addressed by forest licensees in their long term forest sustainability planning and short term operational planning. Convergence of values expressed and objectives set by government with those set by these non-state, market-driven mechanisms is not guaranteed, but is a matter of considerable public importance.

The third major influence arises from the re-allocation of tenures being undertaken by government within the Forest Revitalization Plan. The Board is anticipating an influx of new, smaller entrants, including First Nations, into the forest industry over the next few years. Many of these new entrants will be less experienced with the regulatory regime and will be less able to afford the in-house professional teams necessary to respond to the full requirements of the *Forest and Range Practices Act* and regulations or the requirements of advanced certification schemes. The Board intends to work with new entrants in a constructive manner, so that the results of our audits and investigations are used to build capacity in a collaborative manner.

The fourth influence is the growing attention being paid to ecosystem based management and the need to examine forest practices against objectives that are comprehensive in nature—having to do with maintaining the environmental services of whole complex systems—and that range beyond the influence of practices on individual resource values.

Attention to Issues of Major Public Interest


While a great deal of attention must be paid to the changing regulatory environment, there are also several major forest issues of high public interest in the province. The foremost of these is the extensive impact of the mountain pine beetle, not only on current timber supplies, but also on the long term structure of the forest. The Board is actively involved in assessing the forest practices of licensees operating in beetle infested regions, particularly to examine the influence of beetle management and salvage practices on the other forest values. In the long run, along with land and resource agencies, industry and communities, the Board is concerned with the efforts to design a future forest that is more diverse and resilient.

A second major public concern is the risk of catastrophic wildfire to communities embedded in the forest. The Board's current interest in this issue is the effectiveness of land and forest productivity rehabilitation after fire control activities have been carried out. We also have an interest in the long term question of how well our forest practices ameliorate the conditions that place resource values and communities at risk.

Of great long term interest is the quality and quantity of domestic water supplies. Forest practices in domestic watersheds are destined to become an increasingly important issue. A great deal of attention is paid in Board audits and investigations to the health of streams, attention that tends to be focused on fish habitat conservation but is likely to be matched in the future by an overall societal concern for water supply.

A fourth area of focus is the management of populations and habitats for threatened species, identified under the federal *Species at Risk Act* or listed by the province. The Board is currently engaged, for instance, in examining forest practices related to marbled murrelets and mountain caribou and maintains a strong interest in the application of government's old growth order and its application to the establishment of spatially defined areas of old growth that can contribute to habitat conservation. While these high profile cases of individual species tend to receive major public interest, the Board is also considering the larger issues of maintaining biodiversity in all stages of forest succession and at all scales.

In 2003, the Board made significant progress in anticipating and addressing these challenges, as noted in this report. As we move into 2004, we expect these initiatives to continue as the issues develop and their importance grows. In the coming year the Board will be placing great emphasis on working with all parties on the implementation of the new FRPA regime. In the process we will also maintain our commitment to our role as the steward of the public interest by providing the highest quality of information based on our established standards of practice, our emphasis on independent field work, and our support for the continuous improvement of forest practices. British Columbia has the opportunity to lead the world in forest management and the Board would like to make sure that it is contributing to this goal.



Bruce Fraser, Ph.D
FOREST PRACTICES BOARD CHAIR

The extensive impact of the ongoing mountain pine beetle infestation is an



issue of major public interest and a focus of Board attention as well.



PILOT TESTING OF INDICATORS TO AUDIT THE EFFECTIVENESS OF FOREST PRACTICES WAS
A FIRST STEP IN PREPARING FOR THE NEW RESULTS-BASED APPROACH TO FOREST MANAGEMENT
INTRODUCED BY THE FOREST AND RANGE PRACTICES ACT.

2003 – MAJOR ACHIEVEMENTS

EFFECTIVENESS AUDITING PILOTS – SOILS AND RIPARIAN VALUES

The new *Forest and Range Practices Act* will clearly affect how the Board audits compliance with legal requirements. The new results based focus means “compliance = achievement of results.” Government will set objectives, licensees will develop plans outlining strategies they will employ to be consistent with the objectives, and performance will be judged on adherence to the strategies and consistency with the objectives.

However, measuring consistency with broad objectives will not be a straightforward task. It will require indicators, or measures, that tell us if an outcome has been, or is likely to be, achieved. The Board decided early in 2003 that it is not the organization that should determine what the right measures or indicators are, but it does need indicators to assess performance. Therefore, the Board has a role to play in supporting the development of measurable indicators that will allow the Board to fulfill its mandate under the new results-based regime.

Many different organizations are developing indicators to measure sustainable forest management – notably the federal government, research bodies and provincial governments. These efforts come out of the Canadian Council of Forest Ministers and the growing field of sustainable forest management. Government needs indicators to measure progress and achievement of desired outcomes. And the Board needs indicators to audit against. Under the Forest Practices Code, the Board audited against the rules set out in the Code – did licensee X follow rule Y? In the new regime, the Board will be auditing the effectiveness of forest practices at achieving a desired outcome.

The Board decided to facilitate the development of indicators by the Ministry of Forests and other government agencies and experts. The Research Branch of the Ministry of Forests brought together experts from government, industry and academia to develop a set of indicators to assess soil conservation and riparian (or stream) protection in early summer 2003. Once developed, these indicators were provided to Board auditors. The Board identified a subset of indicators that were suited to quick assessment of forest practices in the field and tested these indicators in the thematic audits we conducted this past summer.

Overall the process went very well and we are very pleased with the usefulness of this cooperative approach. The results of these pilot audits will be released in spring 2004. Manuals describing the audit approach are available, and background papers describing the development of the indicators are also being prepared.

Following the field-testing, Board auditors met with the groups that developed the indicators to share the field experience and contribute to refinement of the indicators. These indicators will serve as useful tools for all parties to assess forest practices and achievement of results on the ground for these forest values. It is anticipated that the indicators will be used by government agencies, industry, researchers, as well as certification systems and auditors.

Our vision for the future is to have a set of generally accepted indicators developed for all 11 forest values specified in FRPA. To that end, we are assisting the MOF with development of indicators for water quality, landscape- and stand-level biodiversity, visual quality and karst features in 2004. We plan to field test these indicators in the coming field seasons, as opportunities arise, as we further develop our approach to auditing effectiveness of forest practices.

EFFECTIVENESS EVALUATION — FREE-GROWING REPORT

In 2003, the Board released the results of a province-wide assessment of success at growing new trees on previously harvested sites. Legislation requires that newly planted trees be maintained until they reach a point where they are well-established and free from competing vegetation before a licensee is relieved of the responsibility to look after the trees. This is called “free-growing.” The Board study looked at the first 6,488 cutblocks required to be free growing since the current rules were established in 1987. Achievement of free growing is also an example of results-based forestry and provided the Board with an opportunity for early assessment of this approach to forest management. Forest companies are required to achieve free growing within a certain time period, but they are not told how to do that. It is up to the companies to meet the free-growing standard however they choose.

Overall, the results of the study are excellent. Across the province, 85 percent of cutblocks achieved free growing within the prescribed number of years and on average, these cutblocks reached free growing three years ahead of schedule. The Board also found that virtually all areas that were declared free growing continued to be free growing some years later. A field examination of 291 cutblocks with a high risk of not maintaining free growing showed 99 percent of the area was indeed free growing.

For the 15 percent of cutblocks that did not yet achieve free growing, the main reason was patches of competing brush. The fieldwork indicates that most of the area on these sites is likely free growing, but a portion of the cutblocks has competing brush that needs to be removed before the whole site can be considered free growing.

A couple of other free growing related issues the Board has seen relate to company bankruptcies and a disease called dothistrama needle blight. There does not appear to be any legal responsibility to achieve free growing in areas harvested by licensees who have since gone bankrupt and are unable to fulfill their legal obligations. The Board is expecting the Minister of Forests to respond to recommendations on this issue by March 31, 2004. Another growing problem in certain areas in the northwest region of the province is the increasing occurrence of dothistrama needle blight in planted lodgepole pine stands. This disease is killing trees after the sites have been declared free growing. This is particularly of concern on Nisga’a land because the Province has a treaty obligation to ensure these sites achieve free growing. The needle blight could result in a loss of anticipated economic value and could cost money to replant affected sites.

Despite these limited issues, the overall results are very encouraging and this approach to results-based management appears to be working.

*Legislation requires that newly planted
trees be maintained until they are well*



*established and free from competing
vegetation — known as free growing.*



A SPECIAL INVESTIGATION OF THE FREE-GROWING REQUIREMENTS UNDER THE FOREST PRACTICES CODE PROVIDED THE BOARD WITH THE FIRST OPPORTUNITY TO ASSESS THE RESULT-BASED APPROACH TO FOREST MANAGEMENT.



A SPECIAL REPORT IDENTIFIED A SERIOUS PROBLEM WITH DELAYS IN PROTECTING NESTING AREAS
FOR THE MARBLED MURRELET – A THREATENED SPECIES OF SEABIRD - LOGGING CONTINUES
TO ELIMINATE POTENTIAL HABITAT WHILE THE PROCESS IS DRAGGING ON.

SPECIES AT RISK — MARBLED MURRELET

In January 2003, the Board released a report that concludes potential habitat for marbled murrelets is being lost to forest development while the process for defining habitat areas drags on. The report and its findings were the subject of much interest and the Board presented the report conclusions at three different conferences in 2003, with an updated presentation scheduled for the Species at Risk Conference to be held in March 2004.

The report, *Marbled Murrelet Habitat Management – Considerations for the New Forest and Range Practices Act*, looks at how effective the Forest Practices Code has been in conserving a species whose habitat is particularly vulnerable to loss or damage from forest practices. The report urged government to designate interim wildlife habitat areas quickly, using the best available information, before the needed habitat is lost.

The report also makes suggestions for such conservation under the new *Forest and Range Practices Act*. The Board chose to issue this special report because it has dealt with several cases concerning marbled murrelet habitat, although the findings would also apply to other species whose habitat is at risk.

Marbled murrelet habitat was also the subject of an appeal that was decided in 2003. The Board appealed the approval of cutblocks that would impact valuable marbled murrelet habitat in the Queen Charlotte Islands. The Forest Appeals Commission issued its ruling in November 2003, and set aside the approval of 5 out of 51 cutblocks located in the most valuable

habitat. Unfortunately 2 of the cutblocks had already been logged when the decision was released. The Board is now discussing the issue with the parties and seeking their advice on how to proceed from here. The Board hopes to identify constructive solutions and take these to the Ministers of Forests and Water, Land and Air Protection to address the remaining habitat in light of the Commission's decision.

The continued harvesting in these areas while they were under appeal at the Forest Appeals Commission has heightened the Board's concerns about habitat being lost while the process continues to drag on. The Board's recommendations from 2003 on designating interim wildlife habitat areas have not been implemented and the problem appears to be continuing. Accordingly, the Board is now researching the status of marbled murrelet habitat conservation across the province and will be releasing a follow-up report on government's progress in addressing this threatened species in spring 2004.

*The Board is now researching the status of
marbled murrelet habitat conservation*



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follow-up report in spring 2004.*

THIRD-PARTY CERTIFICATION

Another major focus in 2003 was third-party certification audits and how to ensure Board audits coordinate with this work whenever possible. In March 2003, the Board released the results of its audit of Pope and Talbot Inc.'s forest planning and practices on Tree Farm Licence 23 in the West Kootenays. TFL 23 is certified under the Sustainable Forestry Initiative program and the International Organization for Standardization 14001.

For the first time, the Forest Practices Board incorporated results from independent forest certification audits into its own audit of Forest Practices Code compliance. However, the Board did not simply accept that these certification programs achieve the public interest. Board auditors examined the certifier's audits of Pope and Talbot's systems and procedures and re-performed some of their audit tests. The auditors found that the certification audit work met the Board's audit standards, and they were able to integrate the independent certifier's work into the audit, resulting in time and cost savings while still providing the public with a high level of assurance about Pope and Talbot's forest planning and practices on TFL 23.

Following on the success of the Pope and Talbot audit, for the 2003 field season the Board selected three compliance audits specifically out of the pool of certified auditees across the province to further develop our approach to coordinating audit information and reducing time, effort and costs of Board audits.

We learned a great deal in 2003 with respect to certification, although we were unable to use our coordinated approach with any of the three selected auditees—primarily because the certification audits did not provide sufficient information to make coordination cost or time effective. The main reason was that the selected auditees happened to be ISO certified only. ISO focuses on specific features of a forest operation, which in these cases, did not happen to be the same features a Board audit examines. As a result, the ISO audits didn't provide enough information on forest practices to make coordination practical. Another important lesson was that coordination will only be practical when dealing with high risk sites and a substantial number of activities in those areas. When dealing with low risk sites, or geographically dispersed activities, there is little opportunity to reduce the amount of field testing the Board would normally carry out for the audit, and therefore little savings to gain.

Although there are challenges to incorporating the results of certification audits with Board audits, the approach is highly effective when it works. In 2004, the Board will continue to try and coordinate with certification audit work whenever possible.



AN AUDIT OF POPE AND TALBOT LTD. IN THE WEST KOOTENAYS WAS THE FIRST SUCCESSFUL
COORDINATION OF A BOARD AUDIT WITH A THIRD-PARTY CERTIFICATION AUDIT.
THE BOARD DETERMINED IT COULD USE SOME OF THE CERTIFIER'S WORK IN ITS AUDIT,
REDUCING TIME AND COST FOR EVERYONE INVOLVED.



ALTHOUGH THE BOARD'S MANDATE REMAINS LARGELY UNCHANGED IN THE FOREST AND RANGE PRACTICES ACT, A REVIEW OF FRPA AND ITS REGULATIONS LED TO MINOR LEGISLATIVE AMENDMENTS TO CLARIFY WHO THE BOARD MAY AUDIT OR INVESTIGATE AND HOW IT REPORTS THE RESULTS OF ITS WORK.

LEGISLATIVE AMENDMENTS

A major focus of effort in 2003 was the review and consideration of amendments to FRPA and the regulations. The Board sought and received two changes to the legislation as it affects the Board's mandate.

The first change was to expand the definition of "party" to specify that the Board may audit or investigate whether a person other than the party being audited or investigated did not comply with the requirements of the Act, in the course of acting for or at the direction of the party. This change was necessary because the new Act introduces the concept of due diligence – that is, a licensee cannot be found to have contravened the legislation if they can demonstrate they exercised due diligence (took all reasonable and practical steps to avoid non-compliance). This affects the ability of the Board to investigate the circumstances that led to a contravention. However, the public needs to know why things went wrong in the particular circumstance, and how to avoid similar problems in the future. In such cases, the Board needs to be able to examine the actions of the contractor or individual who performed the work that led to a failure to meet the legislative requirements.

However, it is important to know that the intent of the Board is not to investigate individuals or to lay blame. The Board's only interest is to find out what went wrong and why, so practices and procedures can be improved to prevent the problem from recurring. In using this power, the Board will normally avoid identifying individuals publicly and will focus its' work and its' reporting on the circumstances of the case and the forest practices that took place – not on the people

who performed them. While there may be cases where identification of individuals is unavoidable, the Board will strive to avoid doing so whenever possible.

In seeking this change, the Board met with government agencies, industry representatives, and small contractors who are potentially affected by the due diligence defence. This was the first time the contracting community became aware of the implications of the due diligence aspects of the new legislation and the result was further meetings and discussions between contractors and government to clarify the issue. In the end, all parties agreed with the logic of the expansion of the definition of a party and it was included in the final legislation.

The Board also sought a change to allow it to report results of an audit or investigation without having to prepare a separate report for each party in those cases where an audit or investigation involves multiple parties. This is primarily an administrative change to streamline the reporting process in cases where the Board examines the work of multiple licensees and it makes the most sense to roll up the results and report them for the area as a whole, rather than by individual licensee. Where the forest practices of a subset of licensees stand out because they are exemplary, or because they are in significant non-compliance, they will still be identified to ensure that all licensees are not painted with the same broad brush.

In addition, a number of small housekeeping changes were made, none of which affects the Board's mandate or responsibilities under the new Act.

DUE DILIGENCE BULLETIN

In the course of reviewing the new *Forest and Range Practices Act* and sorting out how it may affect the Board's mandate and operations, the Board identified some issues and concerns with the concept of due diligence. This is a new approach for forest practices regulation and it will have some significant impacts on how licensees carry out their operations, and on how forestry professionals and practitioners are held accountable for their work. With the intent of exploring how the new approach will work, and encouraging discussion and debate among the affected stakeholders and the public, the Board published an electronic bulletin to highlight the issue.

This bulletin describes the legal context and implications of the new approach to due diligence, and identifies some unresolved questions concerning its application. The bulletin notes that the due diligence defence could encourage forest companies and others to adopt measures to prevent contraventions and demonstrate that they have exercised due diligence. This could have a positive effect on forest stewardship.

An issue that remains to be clarified, however, is where responsibility for remediation lies when there is a contravention – perhaps causing environmental damage – and the licensee establishes due diligence. Who will remedy the contravention or pay a penalty to compensate?

The due diligence defence could also make enforcement more difficult, more expensive and more uncertain, because the hearing to decide whether there has been a contravention must consider the due diligence measures taken by the party. That can be time-consuming and could reduce the number of enforcement actions by government, because government officials might be inclined to overlook contraventions if enforcement is not seen to be cost-effective.

The bulletin was well-received and was the focus of much discussion among professional foresters and biologists, forest companies and the contracting community. The Board is now actively monitoring determinations made by government officials where due diligence is an issue and will watch to see how this new element of the legislation is implemented.



THE BOARD ISSUED A SPECIAL BULLETIN TO DRAW ATTENTION TO THE NEW DUE DILIGENCE
DEFENCE UNDER FRPA AND ITS IMPLICATIONS FOR HOW FORESTRY PROFESSIONALS AND
PRACTITIONERS WILL BE HELD ACCOUNTABLE FOR THEIR WORK.



TWO CASES INVESTIGATED BY THE BOARD DREW FURTHER ATTENTION TO THE ISSUE OF RELIANCE ON PROFESSIONALS TO PREVENT ENVIRONMENTAL DAMAGE FROM FORESTRY OPERATIONS. THESE CASES LED TO GUIDANCE BEING PROVIDED BY PROFESSIONAL ASSOCIATIONS TO ASSIST THEIR MEMBERS IN CARRYING OUT THEIR RESPONSIBILITIES APPROPRIATELY.

PROFESSIONAL RELIANCE

Two recently completed complaint investigations raised issues about professional responsibilities and reliance on professionals to prevent environmental damage when carrying out forest practices. These reports—*Schroeder Creek Road* and *Bridge Design and Construction at Reiser Creek near Smithers, BC*—led to a number of actions taken by the Association of Professional Engineers and Geoscientists of BC (APEGBC) to better inform and support its members.

Both reports identified issues involving professional assessments of terrain stability and bridge design that were inadequate, or that were not properly understood and communicated among the forestry professionals involved.

As BC implements the new results-based legislation, responsibility is shifting from government to licensees for managing risk and deciding whether professional assessments are necessary before carrying out a forest practice. Under such a model, a licensee should clearly outline the parameters for any professional assessments to ensure that all risks are identified, and professional associations should clearly define the responsibilities for assessments conducted by their members. This includes ensuring their members, when preparing assessments, either follow best management practices or provide a rationale for not doing so, particularly when operating in challenging terrain.

In response to these concerns, APEGBC has recently provided such guidance to its members, specifically for terrain stability field assessments. Bridge design guidelines are also in development. These documents have also been provided to the Association of BC Forest Professionals for endorsement and guidance to its members as well. In addition to the guidelines, APEGBC organized professional development workshops on this topic for its members and the Board was invited to speak at these sessions.

STONE FIRE CASE — SUPREME COURT OF CANADA

In the fall of 2003, the Board had the opportunity to appear before the Supreme Court of Canada in a case known as the Stone Fire. The case involves compensation for a large forest fire that burned at Stone Creek, near Prince George, in 1992. The fire had smoldered all winter after burning of slash the previous fall by Canfor. Damage from the fire included damage to timber in a steep area bordering Stone Creek.

The provincial government sued Canfor in 1999 in BC Supreme Court to recover compensation for damage to Crown resources. One of the issues was what value to put on the 15 percent of the killed trees that were in a steep “environmentally sensitive area” that had not been planned for harvest. The trees were, in effect, set aside to provide for other values, including protection of fish habitat and drinking water quality. The Court of Appeal awarded the province 1/3 of the commercial value of the lost timber.

Canfor appealed the decision to the Supreme Court of Canada. The province filed its own appeal and the Board was granted permission to join the appeal and present its views on the broader question of compensation for environmental damage. The case was heard by the Supreme Court on October 16, 2003, and we are awaiting the decision. This decision is expected to be significant because it could help to define the legal principles governing the award of damages for loss of environmental benefits and services that forests provide.

The Board did not take a position on the specifics of the Stone Fire case, but argued the principles the court should establish for determining compensation for damage to environmental values. The Board’s position is:

- The public must be made whole for injury to the environment on public land, to the extent that money can do so. This means that the responsible party must compensate the public for injury to environmental values.
- It is essential that compensation include compensation for non-market environmental assets such as wildlife, wildlife habitat, biodiversity, “ecosystem services” (such as the provision of clean water), recreational opportunities, and intrinsic values (such as the value of conserving forests for future generations).
- Compensation for injury to non-market environmental assets will be in addition to any compensation for injury to marketable assets, such as timber. The damages can never be less than the loss of market value.
- In many cases of injury to the environment, the best approach to the assessment of damages will be restoration cost. The restoration cost approach provides compensation for the reasonable cost of restoring or rehabilitating the environment to the condition it was in before the damage occurred, or as close to that condition as is practicable.

When participating in administrative appeals, the Board does not take its usual neutral approach, but advocates a



position on behalf of the public, either supporting or opposing the positions of government and agreement holders.



A CASE BEFORE THE SUPREME COURT OF CANADA ENABLED THE BOARD TO PRESENT ITS
VIEWS ON THE PRINCIPLES THAT OUGHT TO BE APPLIED WHEN COURTS DETERMINE
COMPENSATION FOR ENVIRONMENTAL DAMAGE.

THE BOARD

BOARD MEMBERS

2003 saw a number of changes on the Forest Practices Board. Bill Cafferata's three-year term as Chair of the Board ended in January 2003. John Cuthbert, Vice-Chair, took over as the acting chair while recruitment of a new chair got underway. John continued in this role until April 2003, when Liz Osborn took over as acting chair. Although John's term was officially over, ending an invaluable six-year contribution to the Board, he did stay on until June to complete his work on the Board's special report on achievement of free-growing status—a fitting end to John's term with the Board. Liz Osborn continued to act as Chair of the Board through one unsuccessful recruitment attempt and a successful second recruitment process, which concluded with Dr. Bruce Fraser joining the Board as the new chair in late November 2003. In the meantime, members Tyler Elm, Fred Lowenberger, and Dave Mannix continued as part-time Board members throughout 2003.



Dr Bruce Fraser
Chair of the Board



Liz Osborn
Vice-Chair of the Board



David Mannix
Part-Time Board Member



Tyler Elm
Part-Time Board Member



Fred Lowenberger
Part-Time Board Member

BUDGET AND EXPENDITURES

The Board continues to meet its diminishing funding targets. In the 2003/04 fiscal year, the Board’s operational funding stood at \$4,344,000. In 2004/05, the funding level drops to \$3,307,000. To meet this target, the Board reviewed its expenditure categories in detail, implemented administrative and operational efficiencies, and reduced staffing levels.

	OPERATIONAL EXPENDITURES						
	BOARDS MEMBERS & EXECUTIVE	COMPLAINT INVESTIGATIONS	AUDITS	REVIEWS & APPEALS	SPECIAL PROJECTS/ COMMUNICATIONS	ADMINISTRATIVE EXPENDITURES	TOTAL
Total Salaries and Benefits	186,431	573,502	778,101	240,831	350,150	226,836	2,355,851
Total Operating Costs	168,465	100,132	641,355	29,706	158,396	498,985	1,597,039
Total Capital Expenditures	0	0	0	0	0	50,039	50,039
Total Expenditures	354,896	673,634	1,419,456	270,537	508,546	775,860	4,002,929
Budget							4,578,166

NOTES:

1. The calendar year 2003 combines the last three months of fiscal year 2002/2003 (January to March) and the first nine months of fiscal year 2003/04 (April to December).
2. The Board’s budget for calendar year 2003 was \$4,578,166 (This is the amount accounted for by the *calendarized* appropriations from fiscal year 2002/2003 and 2003/2004 of \$1,208,449 and \$3,369,717, respectively, allocated to the 2003 calendar year). During 2003, the Board’s expenditures totaled \$4,002,929.
3. Board members and executive expenditures cover those of the Chair of the Board, the part-time Board members, those associated with the office of the Executive Director, and those of staff providing direct support to the Board members.
4. Reviews and Appeals expenditures cover legal advice on all files of the Board.

COMMUNICATION WITH THE PUBLIC

United Nations World Forestry Congress

In September 2003, the Forest Practices Board participated in the World Forestry Congress in Quebec City. Held once every six years, and hosted by the Food and Agriculture Organization of the United Nations, the Congress brought together more than 4000 participants from 140 countries around the world for a week of deliberations, information sharing and agreement on principles and actions to ensure the future of forests the world over.

The Forest Practices Board had a display in the exhibition hall, where hundreds of people from around the world came to find out about BC's independent watchdog organization and in particular, the Board's field-based forest practices auditing program. Many people commended the unique nature of the Board and were interested in the possibility of setting up a similar organization in their own countries. The Board was also involved in a themed session, where over 200 people listened to presentations on four technical papers submitted by BC authors, including one by the Board – *The Role of an Independent Watchdog in an Era of Certification*. Finally, the Board hosted a side event where a detailed presentation on the Board's audit process was attended by those participants with a particular interest in how exactly to go about auditing forest practices on the ground for adherence to laws and standards.

Overall, the Congress was tremendously successful for the Board—in raising international awareness of the existence of BC's unique watchdog model, informing the world about BC's forest practices and in raising our own awareness of the many issues facing the world's forests and the people and communities who depend on them for their homes, their livelihood and their well-being.

Prince George Community Visit

Closer to home, the members of the Board took the opportunity to travel to Prince George in early June to learn more about the mountain pine beetle and ongoing efforts to control the major epidemic currently facing BC. Board members met with representatives from industry, government and the University of Northern British Columbia to hear firsthand about the beetle and the ongoing work to control its spread. Board members also spent a day in the air and on the ground in the Vanderhoof Forest District to see the beetle's devastation firsthand.

Informing the Public in a Period of Rapid Change

Given the many changes to forest practices regulation currently underway, the Board decided to actively stimulate and inform ongoing debate about some of these changes, and what they mean for sound forest practices. This is being done through the publication of electronic bulletins describing new aspects of forest legislation, practices and trends, and their implications for forest stewardship. In 2003, the Board released two bulletins – one on the new defence of due diligence, the other on the role of the Board in an era of increasing certification. More bulletins will be released in 2004 as the implications of regulatory changes become clearer. These bulletins are intended to foster discussion and to improve understanding among forest companies, government agencies, professionals, environmental organizations and members of the public interested in forest practices.

PROGRAM ACCOMPLISHMENTS

AUDITING FOREST PRACTICES

What we accomplished in 2003:

- Completed and published eight audits conducted in 2002 and 2003.
- Conducted 10 new audits in 2003, including four compliance audits of licensee operations, three compliance audits of certified licensees, and three thematic audits: soils, riparian and mountain pine beetle.
- Piloted effectiveness auditing for soils and riparian values.
- Made presentations on the Board's audit program at the Certification Watch Conference in Vancouver, the World Forestry Congress in Quebec City, and the Certified Environmental Auditor's Association annual general meeting in Ottawa.
- The Commission for Environmental Cooperation, established under the North American Free Trade Agreement, referenced and published the Board's criteria for effective enforcement in its factual record relating to an investigation of the federal government's enforcement of the *Fisheries Act* in relation to logging practices by TimberWest on its private land on southern Vancouver Island.

What we are working on:

- Effectiveness auditing: The structure of the *Forest and Range Practices Act* around 11 "key values" provides a good framework to work with in designing audits that will examine effectiveness of forest practices. The Board is encouraging development of generally accepted indicators of effectiveness for these key values, and will assist the efforts by field-testing the indicators through pilot effectiveness audits.

- Developing the Board's own effectiveness auditing program and related manuals in preparation for this new approach to auditing forest practices.
- A special investigation to determine whether or not bridges and major structures along forest service roads are being adequately inspected, evaluated and maintained by the Ministry of Forests in six forest districts. The investigation will also attempt to determine whether elements that may improve management of bridges and structures are missing in FRPA legislation.
- A special investigation of fire rehabilitation plans, their compliance with legal requirements and their implementation on the ground.

INVESTIGATING PUBLIC COMPLAINTS ABOUT FOREST PRACTICES

What we accomplished in 2003:

- Published four complaint investigation reports.
- Resolved two complaints to the satisfaction of the parties, thereby eliminating the need for a full investigation.
- Received a formal thank-you letter from a past complaint participant regarding the positive effect the Board's involvement had on forest practices in Clayoquot Sound.

What we are working on:

- An investigation of windthrow resulting from variable retention harvesting methods on the west coast of Vancouver Island.

- An investigation of concerns that planning, forest practices and a remediation order do not adequately protect water resources flowing into an ecological reserve.
- An investigation of concerns about the provisions of Part 4 of the Code that allow road permit holders to charge fees for road maintenance.
- An investigation of concerns that the Ministry of Forests has allowed wood treated with arsenic to repel mountain pine beetles, to be sold, harvested and sent to local mills.
- An investigation of concerns about: approval of a forest development plan that did not adequately consider public comments and important non-timber values; an FDP amendment that was missing information; forest practices that damaged rare plants and a stream; and withholding of information about government enforcement.
- Looking at ways to revise the complaint investigation reporting process to better address the specific concerns of complaint participants.
- Training and redirecting investigation staff to increased involvement in the Board's other functions (special investigations, audits and appeals) as investigation backlog and timeliness issues have been resolved.

SPECIAL INVESTIGATIONS AND REPORTS

What we accomplished in 2003:

- Completed an evaluation of provincial success at achieving free-growing status in areas harvested since 1987. This study examined over 6,000 cutblocks and concluded that free-growing objectives are being achieved.
- Completed a special report on the status of protection of habitat for the marbled murrelet – a threatened species of seabird that relies on old-growth forests for nesting habitat.
- Completed a report identifying the lack of established objectives for water quality in community and domestic watersheds across the province, and recommending approaches to address this issue in the *Forest and Range Practices Act*.
- Field tested indicators for soils, riparian and biodiversity values in the mountain pine beetle special project.
- Made presentations on the results of the Board's investigation of range practices and their effects on riparian areas at the Canadian Water Resources Association's annual conference and at the Southern Interior Silviculture Committee annual meeting.

What we are working on:

- A special report on the implementation of the provincial biodiversity strategy.
- A special report on the results of a follow-up visit to the Kemess Mine power line corridor to assess the implementation of recommendations from the Board's 2000 report, *Significant Breaches of the Forest Practices Code along the Power Line Corridor for the Kemess South Mine*.
- A special project examining the mountain pine beetle epidemic and the effects of control harvesting on other forest values.
- A special report on forest practices and conservation of habitat for mountain caribou—a threatened species.
- A special investigation of the effectiveness of terrain stability and landslide management under the Forest Practices Code.
- A special report on non-timber forest products and how they are affected by forest practices.

LEGAL PROGRAM/REVIEWS AND APPEALS

What we accomplished in 2003:

- Reviewed FRPA and the draft regulations and sought legislative amendments to the Board's mandate.
- Participated in three review and appeal cases before review panels and the Forest Appeals Commission.
- Appeared before the Supreme Court of Canada in the Stone Fire case to argue the legal principles that should be applied when determining compensation for damage to environmental values.
- Reviewed 10 government determinations that involved the defence of due diligence to see how it is being interpreted and applied, to identify potential reviews or appeals if it appears there is inequity or concern about what qualifies as due diligence.
- Provided legal advice and support to the Board's audit, complaint investigation and special project work.

What we are working on:

- Forest stewardship plans (FSPs) – monitoring and contributing constructive advice as licensees work to figure out how to construct an FSP and what suitable strategies to include in a FSP. We are hoping to collaborate with industry as it develops a template for FSPs.
- Monitoring the interpretations of due diligence used by MOF officials—i.e. how high is the bar?—and seeking to ensure a consistent application of the concept across the province.
- Monitoring the implementation of FRPA, identifying gaps or confusion and seeking clarification through the FAC or policy and legislative adjustments that may be necessary as everyone gets used to working in the new regime.
- Monitoring the Stone Fire and the Haida court cases, which will undoubtedly influence the interpretation and implementation of FRPA.
- Re-tooling of Board programs to meet the challenges of the new FRPA.

AUDITS COMPLETED AND PUBLISHED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	FINDINGS
2nd Annual Audit of Nisga'a Lands <i>- January 2003 -</i> <ul style="list-style-type: none"> • MOF District Manager obligations on Nisga'a Lands • Small Business Forest Enterprise Program • Sim Gan Forest Corporation • Skeena Cellulose Inc. • West Fraser Mills Ltd. Kalum Forest District	<ul style="list-style-type: none"> - operational planning - timber harvesting - silviculture - fire-preparedness planning - road construction, maintenance and deactivation - forest health obligations 	<ul style="list-style-type: none"> - forest planning and practices complied in all significant respects with the Forest Practices Code and the Nisga'a Final Agreement - high level of performance by all auditees - Skeena Cellulose and Sim Gan commended for their actions to address problems identified in the Board's previous audit on Nisga'a lands
South Island Forest District <i>- March 2003 -</i> <ul style="list-style-type: none"> • MOF District Manager obligations • Small Business Forest Enterprise Program • Steeves Forest Consulting Ltd. • TFL Forest Ltd. (TFL 46) • Coast Mountain Hardwoods Inc. • Five woodlot licences • Ministries of Forests and Water, Land and Air Protection 	<ul style="list-style-type: none"> - operational planning - timber harvesting - silviculture - fire protection - road construction, maintenance and deactivation - Code enforcement by Ministries of Forests and Water, Land and Air Protection 	<ul style="list-style-type: none"> - all audited activities complied with the code, except for one issue - the South Island Forest District did not ensure proper maintenance on one section of forest service road, which created an environmental risk to the Shawnigan Lake community watershed - except for the road maintenance issue, the South Island Forest District is enforcing the code appropriately - the Ministry of Water, Land and Air Protection should be more involved in code enforcement
Pope and Talbot Ltd. (TFL 23) <i>- March 2003 -</i> NOTE: This audit incorporated independent certification audit work done for ISO and SFI certifications. A benefit of this approach was the opportunity to examine and report on P&T's management controls related to the protection of key environmental values. Arrow Forest District and Columbia Forest District	<ul style="list-style-type: none"> - operational planning - timber harvesting - road construction, maintenance and deactivation - silviculture - fire-protection activities 	<ul style="list-style-type: none"> - complied, in all significant respects, with Code requirements - Pope & Talbot is recognized for extensive work done to address mountain caribou habitat needs, as well as forest health issues in the TFL - government has not identified and mapped important grizzly bear habitat, as required by an objective of the Kootenay-Boundary Land Use Plan

AUDITS COMPLETED AND PUBLISHED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	FINDINGS
Merritt Forest District - May 2003 - <ul style="list-style-type: none"> • Ardeu Wood Products Ltd. • Aspen Planers Ltd. • MOF District Manager obligations • Small Business Forest Enterprise Program • Nicola Pacific Forest Products Ltd. • Princeton Forest Products Ltd. • Tolko Industries Ltd. • Weyerhaeuser Company Ltd. • 3 woodlot tenures • 15 range tenures • Ministries of Forests and Water, Land and Air Protection 	<ul style="list-style-type: none"> – operational planning – timber harvesting – silviculture – fire protection – road construction, maintenance and deactivation – range activities – Code enforcement by the Ministries of Forests, and Water, Land & Air Protection 	<ul style="list-style-type: none"> – high level of compliance with the Code by licensees in the audit area – Merritt Forest District's enforcement of the Code was appropriate in most instances – two gaps in enforcement, described as significant weaknesses: (1) inspections were lacking for the district manager's responsibilities; and (2) for low-risk operations of major licence holders – Ministry of Water, Land, and Air Protection was not actively involved in Code enforcement within the audit area
Quesnel Forest District - May 2003 - <ul style="list-style-type: none"> • Slocan Forest Products Ltd. • Tolko Industries Ltd. • West Fraser Mills Ltd. • MOF District Manager obligations • Small Business Forest Enterprise Program • 4 woodlot tenures • Ministries of Forests and Water, Land and Air Protection 	<ul style="list-style-type: none"> – operational planning – timber harvesting – silviculture – fire protection – road construction, maintenance and deactivation – Code enforcement by the Ministries of Forests, and Water, Land & Air Protection 	<ul style="list-style-type: none"> – high level of compliance with the Code by licensees in the audit area – Ministry of Forests' enforcement of the Code was appropriate in most instances – detected two gaps in the Quesnel Forest District's compliance and enforcement procedures - inspections of range activities and of district manager responsibilities – range activities had not been inspected, nor was there clear separation of range program management from C&E activities – Ministry of Water, Land, and Air Protection was not actively involved in Code enforcement within the audit area

AUDITS COMPLETED AND PUBLISHED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	FINDINGS
Kispiox Forest District <i>- June 2003 -</i> <ul style="list-style-type: none"> • MOF District Manager obligations • Small Business Forest Enterprise Program • Bell Pole Company • C GED Forest Products Ltd. • Canema Timber Ltd. • Kispiox Forest Products Ltd. • Kitwanga Lumber Co. Ltd. • Skeena Cellulose Inc. • 5 woodlot tenures • Ministries of Forests and Water, Land and Air Protection 	<ul style="list-style-type: none"> – operational planning – timber harvesting – silviculture – fire protection – road construction, maintenance and deactivation – Code enforcement by the Ministries of Forests, and Water, Land & Air Protection 	<ul style="list-style-type: none"> – Bell Pole Company, Kitwanga Lumber Ltd., five woodlot operators and the SBFEP— complied in all significant respects with the requirements of the Code; further, the Board commended the SBFEP for its superior road construction program – C GED Forest Products Ltd. — significant non-compliance with road construction, road maintenance and silviculture activities – Canema Timber Ltd. and Skeena Cellulose Inc. — significant non-compliance with road maintenance requirements – Kispiox Forest District is generally enforcing the Code appropriately in the audit area, except for two issues — the district was not concluding investigations in a timely manner, and senior officials were not making determinations on alleged contraventions in a timely manner – Ministry of Water, Land, and Air Protection was not actively involved in Code enforcement

AUDITS COMPLETED AND PUBLISHED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	FINDINGS
The Pas Lumber Company Ltd. (FL A18171) <i>- July 2003 -</i> Prince George Forest District and Fort St. James Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – fire protection 	<ul style="list-style-type: none"> – complied, in all significant respects, with the Code – an area of improvement was noted with respect to The Pas' fire protection equipment (the Board noted that The Pas took quick action to address the equipment deficiencies) – landscape level planning by government, to take into account the overall forest landscape, was not complete
Dunkley Lumber Ltd. (TFL 53) <i>- October 2003 -</i> Prince George Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – fire protection 	<ul style="list-style-type: none"> – complied, in all significant respects, with the Code – the Board commends Dunkley for restoring a greater proportion of harvested land to a tree-producing state than required by the Code – and to a level that stands out for any company; and for focusing its harvesting efforts on those areas hardest hit by the mountain pine beetle epidemic, while maintaining other forest values

NEW AUDITS STARTED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	STATUS (AS OF DECEMBER 31, 2003)
Dunkley Lumber Ltd. (TFL 53) Prince George Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – fire protection 	Published in October 2003.
Richmond Plywood Corp. (FL A19243) North Island – Central Coast Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – forest protection 	Field work completed, final report in preparation.
West Fraser Mills Ltd. (FL A20002) 100 Mile House Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – forest protection 	Field work completed, final report in preparation.
Revelstoke Community Forest Corporation Columbia Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – silviculture – forest protection 	Field work completed, final report in preparation.

NEW AUDITS STARTED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	STATUS (AS OF DECEMBER 31, 2003)
3rd Annual Audit of Nisga'a Lands <ul style="list-style-type: none"> • New Skeena Forest Products Inc. • Sim Gan Forest Corp. • West Fraser Mills Ltd. • BC Timber Sales – Skeena • Forestry Transition Committee • District Manager Obligations Kalum Forest District	<ul style="list-style-type: none"> – government's enforcement of the Code – operational planning – road construction, maintenance and deactivation 	Field work completed, final report in preparation.
Western Forest Products Ltd. (TFL 25) South Island Forest District, Campbell River Forest District, North Island-Central Coast Forest District, North Coast Forest District, and Queen Charlotte Islands Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – forest protection – sylviculture 	Field work completed, final report in preparation.
Timber Sales Program Operation Chilcotin Forest District	<ul style="list-style-type: none"> – operational planning – timber harvesting – road construction, maintenance and deactivation – forest protection – silviculture 	Field work completed, final report in preparation.
Thematic Audit - Soil Conservation <ul style="list-style-type: none"> • Slocan Forest Products Ltd. • Abitibi Consolidated Inc. • Various small-scale government timber sales licences and salvage permits MacKenzie Forest District	<ul style="list-style-type: none"> – licensee compliance with the Code – effectiveness of forest practices in conserving soil and site productivity 	Field work completed, analysis underway.

NEW AUDITS STARTED IN 2003

AUDITEE(S) & LOCATION	ACTIVITIES AUDITED	STATUS (AS OF DECEMBER 31, 2003)
Thematic Audit - Mountain Pine Beetles <ul style="list-style-type: none"> • L&M Lumber Ltd. • Pacific Inland Resources • Fraser Lake Sawmills • BC Timber Sales • Canadian Forest Products Ltd. Vanderhoof Forest District	<ul style="list-style-type: none"> – timber harvesting – road construction, maintenance and deactivation – silviculture 	Field work completed, final report in preparation.
Thematic Audit - Forest Practices Around Streams <ul style="list-style-type: none"> • International Forest Products Ltd. • Teal Cedar Products Ltd. • BC Timber Sales Chilliwack Forest District	<ul style="list-style-type: none"> – road construction – road deactivation – timber harvesting – mechanical site-preparation treatments 	Field work completed, analysis underway.

COMPLAINTS RECEIVED IN 2003

FILE, LOCATION, DATE RECEIVED	COMPLAINT	STATUS (AS OF DECEMBER 31, 2003)
030456 – Carnes Creek Columbia Forest District January 14, 2003	Concerns about approval of a forest development plan that includes a proposal to clearcut low-quality mature timber in mountain caribou habitat.	Closed (abandoned by complaint)
030462 – Millpond Habitat Pollution Williams Lake Forest District February 11, 2003	Whether dust from a sawmill burner is polluting complainant's property and a mill pond; and thus impacting complainant's livelihood.	Closed (not jurisdictional)
030458 – Ambrose Ecological Reserve Sunshine Coast Forest District February 13, 2003	Whether an FDP that included a cutblock immediately adjacent to an ecological reserve should have been approved.	Closed (resolved)
020444 – Waldo Restoration Rocky Mountain Forest District February 24, 2003	Concerned that the Ministry of Forests is not managing the encroachment of forests on range land.	Closed (withdrawn)
030457 – Blue Moon Cave South Island Forest District March 3, 2003	Complainant believes that construction on of a road covered up the entrance to the Blue Moon Cave.	Closed (not jurisdictional)
030463 – BCTS Road Use Permit Okanagan Shuswap Forest District March 12, 2003	Complainants are not satisfied with the provisions of Part 4 of the Act that allow road permit holders to charge fees for road maintenance.	Open – Under Investigation
020435 – Mara Meadows Okanagan Shuswap Forest District March 14, 2003	Concerned that planning, forest practices and a remediation order do not adequately protect water resources of the Mara Meadows ecological reserve.	Open – Under Investigation

COMPLAINTS RECEIVED IN 2003

FILE, LOCATION, DATE RECEIVED	COMPLAINT	STATUS (AS OF DECEMBER 31, 2003)
030459 – Mount Elphinstone Logging Licence Sunshine Coast Forest District March 18, 2003	Ministry of Forests has awarded a licence to log the property that the complainant's dwelling is on.	Closed (not jurisdictional)
030484 – Chase Danger Trees Kamloops Forest District April 28, 2003	Whether the Ministry of Forests was required to remove snags left by the 2002 'Chase fire' adjacent to complainant's powerline.	Closed (resolved)
030500 – Nadina Arsenic Nadina Forest District July 18, 2003	Concerned the Ministry of Forests has allowed MSMA treated wood to be sold, harvested and sent to local mills.	Open – Under Investigation
030503 – Blue Moon #2 South Island Forest District July 30, 2003	Concern that a licensee included incorrect statements about a cave in its TFL Management Plan.	Closed (not jurisdictional)
030521 – Elk Creek Assessments Chilliwack Forest District November 13, 2003	Concerns that: public comments and non-timber values were not appropriately considered by the district manager; an FDP amendment was missing information; forest practices damaged rare plants and a stream; information about government enforcement was not forthcoming.	Open – Under Investigation
030523– Gilpin Fencing Southern Interior Forest District November 28, 2003	Concerned about the poor condition of a range fence on the Gilpin grasslands.	Closed (withdrawn)
030524 – Stubbs Creek Grazing Southern Interior Forest District November 28, 2003	Concerned about damage by cows in the Gilpin and Stubbs Creek streambed and riparian area.	Closed (withdrawn)

REPORTS PUBLISHED IN 2003

AUDITS

- Audit of Forest Planning and Practices on Nisga'a Lands – January 2003
- Area-Based Audit of Forest Planning and Practices, and Enforcement of the Forest Practices Code in the South Island Forest District – March 2003
- Audit of Forest Planning and Practices, Pope and Talbot Ltd. (TFL 23) – March 2003
- Area-Based Audit of Forest Planning and Practices, and Enforcement of the Forest Practices Code in a Portion of the Merritt Forest District – May 2003
- Area-Based Audit of Forest Planning and Practices, and Enforcement of the Forest Practices Code in a Portion of the Quesnel Forest District – May 2003
- Area-Based Audit of Forest Planning and Practices, and Enforcement of the Forest Practices Code in a Portion of the Kispiox Forest District – June 2003
- Audit of Forest Planning and Practices, The Pas Lumber Company Ltd. (FL A18171) – July 2003
- Audit of Forest Planning and Practices, Dunkley Lumber Ltd. (TFL 53) – October 2003

COMPLAINT INVESTIGATIONS

- Wildlife/range interaction and government enforcement in the Vernon Forest District – 020397 – February 2003
- Harvesting and Road Construction near Private Land in Clearwater - 020439 – March 2003
- Cattle and Horse Grazing near Choelquoit Lake - 020432 – September 2003
- Schroeder Creek Road - 020438 – December 2003

SPECIAL REPORTS

- Marbled Murrelet Habitat Management – Considerations for the new Forest and Range Practices Act – January 2003
- A Special Report on the Use of Water Quality Objectives Under Forest Practices Legislation – Lessons For The Future – February 2003
- An Example of Long-Form Audit Reporting – May 2003
- Reforesting BC's Public Land – An Evaluation of Free-Growing Success – June 2003



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