Adequacy of a Forest Development Plan in the McGregor River Area East of Prince George

Complaint Investigation 980141

December 1999

FPB/IRC/22

Table of Contents

The Investigation

On January 31 and on February 6 and 7 of 1997, Northwood Pulp and Timber Limited (the licensee) advertised an opportunity for the public to review and comment on the 1997-2001 Forest Development Plan for Forest Licence A18165 near the McGregor River, 120 kilometres east of Prince George. The plan was available for viewing during a five-day open house at the company's Prince George office from February 24 to 28, and written comments from the public were to be accepted until April 1, 1997.

The licensee submitted the development plan to the Prince George District office of the Ministry of Forests on March 3, 1997, but added additional information and re-submitted the plan on April 16, 1997. On May 30, the district manager noted that the plan did not contain information required under the Code and instructed the licensee to resubmit the plan in full when the content requirements were met. The following information was missing: classification of streams, wetlands and lakes as well as terrain stability, heritage resources, watershed assessments, visual impacts, wildlife, green-up and roads.

The licensee accepted that the forest development plan that was made available for public review was incomplete. However, the licensee maintained that the plan, together with supplemental information concurrently available to the public, was adequate for informed public review. The licensee stated that this supplemental information was available to anyone reviewing the plan at the open house sessions.

On May 30, 1997, the district manager instructed the licensee to resubmit the plan because the Ministry of Forests could not review or approve the plan without the missing information. The district manager decided not to require the licensee to re-advertise the plan for public review, as he was satisfied that the interested public had been able to review and comment on the plan's intentions. The licensee resubmitted the plan on June 26, September 29 and on November 3, 1997. The district manager approved the plan on December 8, 1997.

On January 13, 1998, the Forest Practices Board received a complaint from Prince George Forest Watch. The complainant asserted that the licensee had submitted a 1997-2001 Forest Development Plan that did not meet the content requirements of the *Forest Practices Code of British Columbia Act* (the Act). Since the plan was lacking in content, the complainant felt that the opportunity for public review and comment was also inadequate. The complainant further asserted that the district manager approved the forest development plan even though the plan did not meet requirements for cutblock size, green-up, and stream classification. The timing of the submission of the plan to the Ministry of Forests emerged as an issue during the investigation.

The following issues were investigated:

1. Did the forest development plan that was made available for public review and comment meet content requirements?

2. Was the forest development plan that was made available for public review and comment adequate for that purpose?

3. Did the licensee submit the plan to the district manager at substantially the same time as it was provided to the public?

4. Did the approved plan meet Code requirements regarding cutblock size, green-up and stream classification?

5. Did the district manager's approval of the plan comply with the Code?

Investigation Findings

Issue #1 - Did the forest development plan that was made available for public review and comment meet content requirements?

The forest development plan was made available for public review and comment in early 1997 while some transitional provisions of the Code applied. However, the plan was not approved until after transitional provisions had expired. Forest development plans approved before June 15, 1997, had to be in "substantial compliance" with the content requirements of the Act and regulations, but plans approved after June 15, 1997, had to comply fully. The licensee submitted the plan to the district for approval in April of 1997, but it was not approved until much later, on December 8, 1997, when full compliance with the Code was required.

In his review of the forest development plan in April and early May, the district manager found that a significant amount of required information was missing. The plan made available for public review did not include information on the classification of streams, wetlands and lakes, terrain stability, heritage resources, watershed assessments, visual impacts, wildlife, green-up[1] and roads. Ministry of Forests staff wrote a memorandum to the district manager on May 13, 1997 stating that the plan was so incomplete they could not review the plan. They asked for details about what information had been made available to the public.

The district manager required the licensee to incorporate all the missing information into the plan before it could be approved by him. However, the district manager did not require a more detailed plan to be re-advertised and made available to the public.

Both the licensee and the district manager stated that there is no requirement under the Code that a forest development plan that is made available for public review and comment must meet the Code's content requirements. Both believed that such a plan need only meet the content requirements when it is submitted for approval. The Board rejects these views. The Code does not distinguish between a proposed or draft forest development plan (such as is made available for public review) and a forest development plan that is submitted for approval. However, the Code clearly requires that a forest development plan be made available for public review before it can be approved. The Code anticipates that a forest development plan be complete and reviewed by the public before it is approved.

[1] Green-up is the state of a new stand of trees in previously-logged areas where the height and density of the new forest provides a level of hydrological, visual and wildlife habitat recovery that allows adjacent areas to be proposed for logging. Specific green-up requirements are provided in the *Operational Planning Regulation*.

There is no definition of a "forest development plan" in the Code. However, the Act[2] and regulations[3] specify what a forest development plan must contain. The result is that a document is not a forest development plan unless it meets the content requirements of the Code. The details of the plan may change due to review and comment so that the plan that is approved is different than the plan that was made available for public review. However, such change does not mean that the plan made available for public review does not have to have all of its constituent parts to begin with. In the Board's opinion, a plan must contain all of the required information at the public review stage in order to provide the basic information that the public needs to be able to effectively review and comment on the plan.

Finding 1:

The 1997-2001 Forest Development Plan for FL A18165 advertised and made available to the public on January 31, 1997, did not comply with the content requirements of the Code. The plan was missing key information about classification of streams, wetlands and lakes, terrain stability, heritage resources, watershed assessments, visual impacts, wildlife and the condition of adjacent cutblocks and roads.

Issue #2 - Was the forest development plan that was made available for public review and comment adequate for that purpose?

The *Operational Planning Regulation* sets out the general requirements for public review of forest development plans. At the time of this complaint, section 4(1)[4] required that the licensee provide an adequate opportunity for the public to review and comment on the plan. Subsection 4(4) provided a role for the district manager in deciding whether or not the opportunity for review was adequate:

> 4(1) A person…must… provide adequate opportunity for review and comment to persons interested or affected by operations under the plan.
>
> 4(4) An opportunity for review and comment…will only be adequate…if, in the opinion of the district manager, the opportunity is commensurate with the nature and extent of that person's interest in the area under the plan….

The Code specifies content requirements for a forest development plan. The licensee's forest development plan was missing key information when it was made available for public review. The district manager decided that supplemental material that was available in the licensee's office corrected the plan's content deficiencies, but there was no indication to the public that there was additional information elsewhere. Without such knowledge, the public would not know to ask to see it. Effective public review requires that the plan made available for public review is complete on its own. The plan must contain all required resource information as a complete package and must specify measures that will be taken to protect those resources.

---

[2] Section 10.

[3] *Operational Planning Regulation*, section 15.

[4] Now, section 27 of the *Operational Planning Regulation.*

The licensee resubmitted the plan three times to the district for approval (on June 26, September 29 and November 3, 1997). Each submission included additional information. However, the original plan that had been advertised and made available for public review did not meet the content requirements. It was, therefore, not adequate for public review and comment under the *Operational Planning Regulation*.

Finding 2:

The plan was missing key information about classification of streams, wetlands and lakes, terrain stability, heritage resources, watershed assessments, visual impacts, wildlife, green-up and roads. Without that information, the public could not adequately assess the impact of proposed forest practices on forest resources. The plan, being substantially incomplete, was not adequate for public review and comment. The licensee failed to comply with section 4(1) of the *Operational Planning Regulation*.

Section 4(4)[5] of the regulation gave the district manager authority to assess whether the opportunity for review and comment provided to an interested or affected person was adequate. The district manager stated that he reviewed the comments made on the plan by interested individuals, to determine if they were able to assess how the plan affected their interests. However, the forest development plan was incomplete in the Board's opinion. An interested or affected person must have access to a complete plan before the district manager can go on to assess the nature and extent of that individual's interest in the area under section 4(4). If the plan itself is incomplete, then the opportunity for review and comment for the public as a whole is inadequate, regardless of what the district manager considers in terms of an individual's interest in the area. Therefore, the district manager could not apply his or her restricted authority under section 4(4) to make an inadequate plan adequate to meet the requirements of section 4(1).

Finding 3:

An interested or affected person must have access to a complete plan before the district manager can exercise his discretion to assess the nature and extent of that individual's interest in the plan area under section 4(4) of the *Operational Planning Regulation*. As the plan was substantially incomplete, the district manager did not correctly exercise his discretion to decide whether the opportunity for review and comment was adequate under section 4(4) of the *Operational Planning Regulation*.

Issue #3 - Did the licensee submit the plan to the district manager at substantially the same time as it was provided to the public?

Section 3[6] of the *Operational Planning Regulation* required that a copy of the development plan be submitted to the district manager "at substantially the same time" as the public was notified of the opportunity for review and comment. To interpret the clause "at substantially the same time" the Board considered the purpose and intent of section 3.

[5] Now, section 27(8) of the *Operational Planning Regulation*.

[6] Now, section 26(1) of the *Operational Planning Regulation*.

The district manager believed that the purpose of section 3 was simply to ensure that a district manager would receive a copy of the plan in time for Ministry of Forests staff to review the plan and complete any required fieldwork prior to plan approval. The district manager did not believe that section 3 related to public review and comment. If the district manager's interpretation is correct, there would be broad scope in what constitutes "substantially the same time." It would vary widely among districts to match local operational practicalities. More importantly, the timing of a licensee's submission of the plan to the district would have no relationship to public review and comment.

The Board disagrees with the district manager's interpretation. In the Board's opinion, the purpose of submission "at substantially the same time" is related to public review. The district manager has an obligation under section 4(4) of the *Operational Planning Regulation* to assess the adequacy of interested or affected persons' opportunity for review and comment. The Board considers that section 3 is intended to give the district manager the information necessary to make that assessment. If the public complains to the district manager that the material provided is inadequate for review, the district manager can promptly make a decision and, if necessary, instruct the licensee to correct a problem. Receipt of the plan concurrent with the start of the public review period allows the district manager to make such a decision in a timely manner.

In this case, the licensee maintained that it would be "the only party that suffers" if the district manager required re-advertisement late in the process. The Board does not agree. If a district manager cannot decide the adequacy of the public's review opportunity until after the review period expires, starting a new public review may be difficult due to operational requirements. In that circumstance, the public's right to review and comment would be thwarted.

There are other reasons why the purpose of submission "at substantially the same time" relates to public review in a general sense. The Board expects that the public should review a plan at the licensee's office where that is feasible. There, the licensee can explain the plan and learn directly of the public's questions and concerns. However, in some locations, members of the public may have easier access to a Ministry of Forests district office than the licensee's office. Members of the public may want to discuss the management of public resources with government staff, not the plan proponent. Some members of the public may feel that government agencies provide a more neutral atmosphere for review. All of these reasons suggest that effective public review and comment may, in many locations, require that a copy of each forest development plan is available in a district office at substantially the same time as it is made available for public review. The Board notes that convenient access was not an issue in this particular complaint (the district and licensee's offices are in the same community) but the broader concerns affect the Board's interpretation of the regulation.

The Board finds that a licensee needs to submit the forest development plan that is made available to the public for review and comment to the district manager at approximately the same time as it is made available for public review in order to ensure effective public review.

In the circumstances of this complaint, the licensee first advertised that the forest development plan was available for public review on January 31, 1997. That plan was not submitted to the Ministry of Forests until March 3, 1997 (although the ministry did not receive copies of associated maps until the end of March). The licensee added additional information to the plan and re-submitted it on April 16, 1997, but on May 30, the district manager noted that the plan was still deficient in content. Subsequently, the plan was revised and resubmitted on June 26,

again on September 29 and lastly on November 3. The November 3 submission was approved on December 8, 1997.

By March 3, almost half of the public review and comment period had elapsed. By May 30, when the district manager told the licensee that the plan was deficient, it was much too late to change what had been made available to the public unless the licensee was required to repeat the entire public review process, including advertising. That was operationally impractical, so the public was not able to review a complete plan. An important objective of the legislation was frustrated.

The district manager was not concerned about the delay in receiving a copy of the plan. The licensee considered that the district manager's acceptance of the forest development plan on March 3 indicated that the district manager agreed that submission in March was acceptable. Although the regulation[7] allows the district manager and licensee to agree to submission of a copy of the forest development plan at "any other time", the district manager neither agreed nor disagreed. In any event, agreement to another date would have to have been reached before the time limit imposed by the regulation ("substantially the same time") because a district manager cannot retroactively waive a requirement of the Code. Therefore, it does not matter whether the district manager later implicitly accepted the late submission; the licensee failed to comply with the time limit in the regulation.

Finding 4:

The licensee did not submit the plan to the Ministry of Forests at substantially the same time as the plan was made available to the public. The plan was submitted after almost half of the public review and comment period had elapsed. The licensee did not comply with section 3 of the *Operational Planning Regulation* (currently section 26(1)).

A documentary complication arose during this investigation. The copy of the forest development plan that had been made available for public review had been replaced in district files by an updated copy of the plan as amended and submitted for approval. The Board had difficulty in determining exactly what the public had an opportunity to review. The public has a right to complain about what it receives. For the Board to be able to respond effectively to a complaint, it must be able to examine what the public received.

Finding 5:

The development plan provided during the public review and comment period is an important public record. Neither the district nor the licensee retained a copy of the forest development plan that was reviewed by the public.

[7] Section 3(1)(b) of the *Operational Planning Regulation*.

Issue #4 - Did the approved plan meet Code requirements regarding cutblock size, green-up and stream classification?

The complainant asserted that the district manager should not have approved the development plan because cutblocks were too large, areas adjacent to cutblocks were not greened-up[8] and streams were not classified. In other words, the complainant believed that the approved plan did not meet Code content requirements in regard to those three aspects.

Cutblock Size

At the time of the complaint, licensees could not propose a cutblock larger than 60 hectares in the Prince George Forest Region unless a district manager had specified a larger limit[9]. Paraphrasing sections 21 and 22[10] of the *Operational Planning Regulation*, the requirements were:

- The maximum cutblock size that could normally be proposed by a licensee in the complaint area was 60 hectares. However, the district manager could specify a larger maximum cutblock size if the district manager believed that the cutblock design was consistent with the "structural characteristics"[11] and the "temporal and spatial distribution"[12] of natural openings.

- Despite the specified maximum cutblock size, that maximum could be exceeded if harvesting was being carried out to recover damaged timber as long as, wherever possible, the cutblock incorporated "structural characteristics" of natural disturbance.

In the circumstances of this complaint, approximately one third of the cutblocks that were approved in the forest development plan were larger than 60 hectares. The district manager had not specified any exception to the 60-hectare maximum cutblock size. Nevertheless, proposals of cutblocks larger than 60 hectares were submitted by the licensee and were accepted by the district manager.

---

[8] See Note 1.

[9] Former section 21(3)(b) enabled the district manager to specify a maximum cutblock size for a plan that was larger than the regional limit of 60 hectares. Under the current *Operational Planning Regulation* (section 11), the licensees may propose cutblocks greater than 60 hectares. The district manager may approve them if he/she believes that larger cutblocks are consistent with the structural characteristics and the temporal and spatial distribution of natural openings. The new regulation has shifted the onus from not proposing exceptions to the maximum size, to allowing submission of exceptions with the district manager deciding if the exceptions are acceptable at the time of plan approval.

[10] In mid-1998, sections 21 and 22 were replaced by section 11 of the *Operational Planning Regulation*.

[11] "Structural characteristics" are the physical structural components of a stand such as shrubs, small and large green trees, snags, logs on the forest floor and canopy gaps.

[12] "Temporal and spatial distribution" of openings refers to the distribution of openings of various sizes in a stand (spatial) and over time as the stand matures (temporal).

Finding 6:

The licensee proposed blocks larger than 60 hectares. That did not comply with Code requirements in effect at the time. However, the regulation has subsequently been changed to allow licensees to make such proposals. Provided that the district manager had a rationale to allow larger blocks, the Board considers that the non-compliance would not be significant.

The Board examined the district manager's reasons for allowing these large cutblocks. The reasons provided by the licensee, in the forest development plan, were very limited. Justification for proposing the large cutblocks was discussed at government agency round-table meetings, but no details of the discussions were recorded. There was no indication that the district manager had analyzed the spatial and temporal[13] distribution of natural openings to ensure that large blocks were consistent with such distribution. There was also no documented explanation by the licensee or the Ministry of Forests explaining the objectives of large blocks or how large blocks might achieve those objectives.

The district manager advised the Board that the Code does not require a licensee or district manager to carry out a spatial and temporal analysis to justify the approval of a block larger than 60 hectares. Furthermore, he stated that it is not reasonable to require a detailed rationale in response to every enquiry. The district manager simply believed that cutblocks larger than 60 hectares were consistent with the structural characteristics and the temporal and spatial distribution of natural openings. The Board questions whether a district manager can properly exercise his discretion when considering approval of blocks larger than the Code allows without carrying out an analysis adequate to establish the structural characteristics and the temporal and spatial distribution of natural openings.

The Board considers the limit on cutblock size to be one of the key components of the Act and one that has considerable public interest. The decision to approve blocks larger than 60 hectares has the potential to limit future options for biodiversity management. The Code sets a general standard that blocks should be smaller than 60 hectares. When departing from such a standard, the district manager should be able to provide a detailed explanation to the public and the Board of the information and reasoning that led to such a decision.

In the circumstances of this complaint, the Board accepts that the district manager considered whether allowing blocks larger than 60 hectares would comply with the Code. However, there appears to have been little detailed consideration (such as spatial or temporal analysis) and there is no documentation of how he applied his discretion.

[13] As required by section 21 of the *Operational Planning Regulation*.

Finding 7:

Many of the cutblocks in the plan area exceeded the Code's normal maximum size of 60 hectares. The district manager gave some consideration to whether those cutblocks met the Code criteria for approval. However, there was little analysis or justification provided by the licensee, and the district manager provided limited oral and written explanation for the approvals. The district manager's rationale was inadequate given the number of large cutblocks that were approved.

Green-up Requirements

Cutblocks can only be proposed if adjacent areas are greened-up[14] or if one of the conditions for exemption from that requirement exists. Paraphrasing, section 23[15] of the *Operational Planning Regulation* established the following:

1. In normal situations, harvesting of a cutblock could be proposed only if the area contiguous with the proposed cutblock would be greened-up at the time the block was scheduled for harvest.

2. Despite the "green-up" requirement, a block could be proposed for harvest even if the areas contiguous with it did not meet the green-up requirements if one of the following applied:

    - A selection cut was proposed and the district manager had determined that the residual stand met known biological diversity and visual quality objectives.

    - The non-greened-up areas contiguous with the cutblock would not exceed the default or maximum size for cutblocks.

    - The district manager determined that the proposed harvesting would recover damaged timber and, wherever possible, the proposed cutblock incorporated "structural characteristics" of natural disturbance.

    - The district manager determined that the proposed harvesting activity was consistent with biological diversity objectives.

Twelve blocks identified in the complaint were examined for compliance with green-up requirements. Three were not subject to green-up requirements for various reasons (one block was deleted from the plan, another block was not adjacent to non-greened-up areas and the third block had a cutting permit).

None of the nine cutblocks that were subject to green-up requirements had suitable green-up conditions in adjacent areas. The licensee could only propose harvesting these cutblocks if the adjacent areas would be greened-up at the time the blocks were scheduled for harvest or if the blocks met one of the Code conditions exempting it from green-up requirements.

Two of these blocks were proposed for selection cutting, not clearcutting. There were no established (known) biological diversity objectives and the district manager did consider visual

[14] See Note 1.

[15] Now section 68.

quality objectives for these two blocks, with a visual impact assessment required for one as a result. Consequently, these two blocks did not have to meet the green-up requirements.

The remaining seven blocks were proposed to recover insect-damaged timber. The district had directed licensees to incorporate structural characteristics of natural disturbances into their development plans. The licensee had included wildlife tree patches and riparian areas in the development plan and listed the biodiversity contribution by cutting permit and block.

Finding 8:

All of the cutblocks identified in the complaint as inconsistent with green-up requirements were either not subject to green-up requirements or exempted from those requirements. Exemptions occurred for some cutblocks because they were proposed for selection harvest. The remaining cutblocks were exempted because they were proposed for salvage of insect damaged timber and incorporated the structural characteristics of natural disturbance. The district manager considered whether the proposed salvage cutblocks did incorporate structural characteristics of natural disturbance. Proposal of these blocks was consistent with the Code.

Stream Classification

Section 28(c) and 15(6)(c)[16] of the *Operational Planning Regulation* required licensees to determine and include the riparian class of all streams within, or adjacent to, areas under the plan. The approved plan did not classify several large S1 and S2 streams[17], including Herrick Creek, McGregor River, Torpy River, Fraser River and Bowron River, which were adjacent to several proposed blocks.

The licensee explained that computer limitations prevented depiction of those large streams on maps, although alternatives such as text or tables were not used to show stream classifications. The licensee believed that the classification of those streams was common knowledge. The district manager concurred that the streams, all S1 or S2 classification, were so large that the classification was self-evident.

Stream classification is one of the key components of the Code that invokes specific and different management practices. If stream classification is not shown in a development plan, the public and government agencies cannot infer how riparian areas will be protected.

[16] In 1997, similar, but less stringent, provisions came into force as sections 15 and 18 of the replacement *Operational Planning Regulation*.

[17] The Forest Practices Code classifies streams in part on the basis of the average channel width and the presence of fish. S1 streams contain fish and have a channel width greater than 20 metres. S2 streams contain fish and the channel width is between 5 and 20 metres. Different management practices are required for each classification.

Finding 9:

The forest development plan did not classify S1 or S2 streams adjacent to several cutblocks in maps, text or tables, reducing the effectiveness of public and government agency review. The licensee did not comply with sections 28(c) and 15(6)(c) of the *Operational Planning Regulation*.

Even though the forest development plan failed to classify these large streams, most, but not all, of the streams were identified and classified in the silviculture prescriptions. Even where streams were not classified in the silviculture prescriptions, the prescriptions did prescribe the required management practices, including riparian reserves.

Finding 10:

The failure to identify and classify large streams resulted in a risk that appropriate protection measures would not be described in site specific plans. However, the silviculture prescriptions for the blocks included adequate measures to protect riparian areas. Due to the overlap of information between levels of plans, the omission of required information in the forest development plan did not result in inadequate protection of riparian areas. However, the prescribed measures to protect the riparian areas were not available for public review.

Issue #5 - Did the district manager's approval of the plan comply with the Code?

Section 41(1) of the Act sets out two requirements for the approval of a forest development plan. The plan must meet Code requirements and the district manager must be satisfied that the plan will adequately manage and conserve the forest resources of the plan area. Section 41(3) requires that both conditions must be met before the district manager can approve a plan. If both conditions are met, the plan must be approved; if not, the plan cannot be approved.

The plan was approved on December 8, 1997 so it had to fully meet the Code content requirements. Even though material had been added since the plan had been made available for public review, the forest development plan still did not contain the content required by the Code. The requirements for public review and comment was not met (an incomplete plan was provided) and large streams were not classified. As the plan did not meet the requirements of the Code, the district manager should not have approved it.

Finding 11:

The district manager did not comply with section 41(3) of the Act when he approved the forest development plan on December 8, 1997. The plan did not meet the Code content requirements and at the time of public review, had not been adequate for public review and comment.

Conclusions

Licensees must ensure that forest development plans contain sufficient and accurate information that meets the content requirements of the Code. The opportunity for public review cannot be adequate if the plan does not have the required content.

1. The 1997-2001 Forest Development Plan for Forest Licence A18165, which was advertised and made available to the public on January 31, 1997, did not comply with the content requirements of the Code. The plan made available for public review was not adequate for that purpose because it was missing important, mandatory content. The district manager made an error in law when he decided that a plan that was significantly deficient in content could provide an adequate opportunity for public review and comment.

2. The licensee did not comply with the Code requirements to submit the plan to the district manager at substantially the same time as the plan was provided to the public. A copy of the plan should have been submitted to the district manager at approximately the same time as the licensee first advertised that it was available for public review and comment.

3. The plan was submitted and approved with many blocks that exceeded 60 hectares, the maximum normally allowed in the region under the Code. The district manager had not specified any exception to the 60-hectare maximum size limit and the licensee had provided little analysis or justification for those large blocks. There was limited oral or written explanation of the reasoning behind the district manager's approval. There was an inadequate justification for the approval of so many large blocks.

4. The blocks of concern to the complainant were exempt from the standard requirements for green-up because they were to be selectively harvested or were proposed to salvage insect-damaged timber and incorporated structural characteristics of natural disturbances.

5. The approved plan did not classify some S1 and S2 streams, so the licensee failed to comply with the *Operational Planning Regulation*. The failure to identify and classify streams resulted in a risk that appropriate protection measures would not be considered in the next level of planning. In the circumstances, the silviculture prescriptions for the subject blocks included adequate measures to protect riparian areas. Nevertheless, omission of such information from the forest development plan limited the public's ability to comment. Silviculture prescriptions, unlike forest development plans, are not normally made available for review by the public.

6. The district manager did not comply with section 41 of the Act when he approved the forest development plan. The plan did not meet the Code's content requirements and the licensee had not provided an adequate opportunity for public review.

Recommendations

In accordance with section 185 of the *Forest Practices Code of British Columbia* Act (the Act), the Board makes the following recommendations:

1. The Ministry of Forests should ensure that licensees comply with the Code requirement to submit copies of forest development plans to district managers at approximately the same time (before or slightly after) as they are made available to the public.

2. Licensees should include detailed explanations in forest development plans to justify proposed blocks larger than the maximum size specified in the Code. In approving forest development plans, district managers should include reasons for the approval of large blocks. These reasons should be available to the public upon request.

3. Forest development plans made available to the public for review and comment should be retained by licensees and by the Ministry of Forests as long as the plans are in effect.

4. The district manager of the Prince George Forest District should designate landscape units, set objectives for biodiversity and establish a maximum cutblock size for each landscape unit in the Prince George Forest District.

In accordance with section 186 of the Act, the Board requests that:

- the Ministry of Forests advise the Board by April 15, 2000, as to how it has addressed recommendations 1, 2 and 3; and

- the Prince George Forest District advise the Board by April 15, 2000, as to how it has addressed recommendation 4.

The panel of the Board that considered the report from the complaint analyst and representations, and concluded this report, was Keith Moore, Fred Parker, Mark Haddock, and John Cuthbert.