



File: 280-30
Ref: 218875

December 18, 2015

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

Dear Tim Ryan:

On behalf of the Ministry of Forests, Lands and Natural Resource Operations (the 'ministry'), please accept this letter as government's initial response to the Forest Practices Board's report: *Forest Stewardship Plans: Are They Meeting Expectations? (August 2015)*.

First, I would like to thank the Forest Practices Board (the 'Board') for this comprehensive review of forest stewardship plans (FSPs) across the province. The analysis and findings contained in Board reports always contribute to our understanding of the implementation of the *Forest and Range Practices Act* (FRPA). I would also like to express appreciation for the ongoing assistance of Board staff in helping government and industry professionals to further understand the Board's methodology, analysis, and detailed findings. I am aware that several districts and forest companies have benefited from informative professional discussion and I support the Board's continued outreach to professionals who develop and review FSPs.

The ministry has placed a high-priority upon achieving improvements to FSPs. As the only legally-binding planning document under FRPA, it is essential that FSPs set-out clearly how results, strategies and measures are consistent with government objectives for FRPA's resource values. Clear and enforceable commitments in FSPs provide certainty that government's objectives will not be compromised by planned forest development and that licensees can be held accountable for achieving planned results. As our Crown forest resources are under great pressure to support the achievement of multiple government objectives, and as forestry continues to maintain the largest geographical presence on the land, the importance of clear and measurable commitments from forest licensees is heightened.

The FRPA was designed for adaptive-management in the anticipation of practitioner learning, evolution of practices, and the growing complexity of resource management. Now that FRPA has been in effect for over a decade, it is appropriate to acknowledge and address areas of learning and longstanding concern, and to begin integrating them into our administration and implementation of the Act and framework.

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The government expects to see demonstrable improvements in the content of renewed FSPs. As the approval of an FSP is the responsibility of our district managers who are delegated decision-makers under FRPA, we will take steps to support district managers as they carry out their statutory duties to balance government's economic and stewardship mandates. We will also look to them to relate the successes and challenges they face in this round of FSP renewals to help inform subsequent improvements under FRPA.

Districts are taking a leadership role in approaching forest licensees to determine a process for renewals and to set early expectations for approvals that are consistent, fair and substantiated. Province-wide expectations are also being set for the submission of new plans that will be subject to full review and comment by the public and stakeholders.

Achieving a new standard for FSPs will take time and collaboration. The Board's report was timely for helping to open a provincial discussion on FSPs that will be continued in the provincial FSP training forum planned for spring 2016. FSP training will help set a foundational understanding for practitioners as they manage the preparation, review and approval of many new FSPs.

In closing, both government and the ministry are invested in obtaining an enhanced standard for FSPs. The ministry has a variety of planned initiatives to further support improvements to FSPs and public and stakeholder engagement in operational planning that I have not outlined here. I expect these to be well underway in the coming spring. As such, I have asked ADM Tom Ethier to provide the Board with a progress report on these initiatives and how they address the Board's recommendations by March 31, 2016.

In the meantime, if the Forest Practices Board requires additional detail regarding the ministry's approach to the continuous improvement of FRPA framework, please contact Jennifer Davis, Director, Resource Practices Branch (Jennifer.C.Davis@gov.bc.ca or 250-387-0088) or Norah White, Sustainable Forest Management Policy Officer, Resource Practices Branch (Norah.White@gov.bc.ca or 250-387-8013).

Sincerely,



T. R. (Tim) Sheldan
Deputy Minister

cc: All Assistant Deputy Ministers
All Regional Executive Directors
All District Managers
All Directors, Resource Stewardship Division
Kevin Edquist, Director, C&E Branch
Perry Grilz, Director, Range Branch
Doug Stewart, Director, Forest Tenures Branch
Doug Fraser, Range Practices Officer, Range Branch

Norah White, Sustainable Forest Management Policy Officer,
Resource Practices Branch

Sharon Glover, Association of BC Forest Professionals
602-1281 West Georgia Street, Vancouver, BC V6E 3J7

Michael Larock, Association of BC Forest Professionals
602-1281 West Georgia Street, Vancouver, BC V6E 3J7



File: File: 97325-20/2013-02

January 4, 2016

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

Dear Tim Sheldon:

Re: Response to the Board's Special Investigation Report FPB/SIR/44, *Forest Stewardship Plans: Are They Meeting Expectations?*

Thank you for your letter of December 18, 2015, indicating a high priority on achieving improvements to FSPs.

We look forward to hearing more at the end of March, 2016.

FPB Staff continue to be available to provide assistance.

Yours sincerely,

A handwritten signature in blue ink that reads "Timothy Ryan". The signature is fluid and cursive, with the first and last names being clearly legible.

Timothy S. Ryan, RPF
Chair

February 24, 2016

Dave Clarke, RPF
Executive Director
Forest Practices Board
Box 9905 Stn Prov Govt
Victoria BC
V8W 9R1

Dear Mr. Clarke:

Re: Update on Forest Practices Board Report "Forest Stewardship Plans: Are They Meeting Expectations?" August 2015 (FPB/SIR/44)

We are pleased to update you on our progress regarding the recommendation for the ABCFP in the Forest Practices Board (FPB) report "Forest Stewardship Plans: Are They Meeting Expectations?" SIR/44.

Specifically, the fourth recommendation in the report states

"The ABCFP should ensure that forest professionals, and their employers, are cognizant of the forest professionals' independent responsibilities regarding:

- results, strategies and measures that are measurable or verifiable,*
- results or strategies that are consistent to the extent practicable with government's objectives, and*
- measures that are reasonable and appropriate."*

In response to the FPB report, the ABCFP provided a News Release August 19, 2015. In the News Release the ABCFP identified two critical points related to forest professionals and a plan for action. The two points were as follows,

- The ABCFP restated the importance of the Forest Stewardship Plan to the planning and accountability of forest practices in BC, and
- The ABCFP made everyone aware that a change to ABCFP bylaws June 2014 now obligates forest professionals to provide professional work that is measurable or verifiable. This would include professional work to establish results or strategies in FSP's.

In addition the ABCFP provided the following plan to achieve recommendation #4.

1. Communicate the content of the Measure and Verify standard with forest professionals.
2. Communicate the content of other professional practice guidance documents that support the FSP process.

3. Communicate with employers regarding the independent role and responsibility of a forest professional in the FSP process, including their role related to
 - a) results, strategies and measures that are measurable or verifiable,
 - b) results or strategies that are consistent to the extent practicable with government's objectives, and
 - c) measures that are reasonable and appropriate.
4. Meet with other regulators and stakeholders regarding the profession's role in communicating and improving the use of the FSP.

Over the last few months the ABCFP has continued to focus on FSP's by undertaking the following work related to recommendation #4:

- Drafted a Fact Sheet "Forest Stewardship Plans in BC" as an information backgrounder on the FSP and the role of forest professionals. The fact sheet is currently available on the ABCFP website.
- Meetings with industry and government representatives on FSP training initiative.
- Include the "Measure or Verify Standard" (Bylaw 12.2.4) as a subject of discussion and explanation in existing workshops for ABCFP members.
- Participate in drafting the professional reliance sections of the government led FSP training modules.
- Incorporate an education module in the new ABCFP Registration process on professional reliance and professional standards, including the "Measure or Verify Standard."

The ABCFP is continuing to work on recommendation #4, and to work in collaboration with government and industry for FSP training. The ABCFP will advise the FPB as key parts of the plan are completed in the coming months.

Should there be any questions or comments regarding the ABCFP work related to FSP's then please contact Mike Larock RPF Director of Professional Practice and Forest Stewardship.

Sincerely,



Mike Larock, RPF
Director of Professional Practice and Forest
Stewardship
Association of BC Forest Professionals

Cc
Christine Gelowitz, RPF
Chief Executive Officer
Association of BC Forest Professionals



File: 97325-20/2013-02

April 14, 2016

Mike Larock
Director of Professional Practice and Forest Stewardship
Association of BC Forest Professionals
602-1281 West Georgia Street
Vancouver, BC V6E 3J7

Dear Mike Larock:

Re: Response to the Board's Special Investigation Report FPB/SIR/44, *Forest Stewardship Plans: Are They Meeting Expectations?*

Thank you for your letter of February 24, 2016, outlining the ABCFP's communication plan to make professionals aware of their responsibilities regarding FSPs and the work completed to date.

We accept your response to our recommendation and will continue to discuss your communications plan with you as it unfolds over time.

Yours sincerely,

A handwritten signature in blue ink, which appears to read "Timothy Ryan".

Timothy S. Ryan, RPF
Chair



File: 280-30
Reference: 221036

APR 14 2016

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

Dear Tim Ryan:

On behalf of the Ministry of Forests, Lands and Natural Resource Operations (FLNR), please accept this letter as government's response to the Forest Practices Board's recommendations in its reports: *Forest Stewardship Plans: Are They Meeting Expectations?* (August 2015) and *District Managers' Authority over Forest Operations* (December 2015).

As Deputy Minister Sheldon indicated to the Board in his letter of December 18, 2015, the ministry has placed a high priority on obtaining improvements to forest stewardship plans (FSPs) over the coming years. To achieve this objective, we have several initiatives underway, as outlined below. We are grateful for the efforts of Board staff in helping government and industry professionals better understand the Board's methods, analysis and findings. This has been instrumental in improving our collective understanding of opportunities to improve FSP results, strategies, and measures.

We also appreciate the Board's analysis and recommendation to strengthen the authorities of District Managers in legislation to prevent unintended outcomes, such as the potential for unintended adverse impacts to public health and safety, the environment, resource values, and the rights of other tenure holders.

The ministry views these two reports collectively, as they both identify opportunities to improve to the underlying mechanisms that enable effective operational planning and practices under the *Forest and Range Practices Act* (FRPA). The ministry is in the process of developing a multi-year strategy for improvement of the FRPA framework and its implementation: elements of the Board's findings and recommendations in both reports will be further addressed in this strategy.

The following reflects activities now underway and planned (as part of the FRPA strategy) to address the Board's specific recommendations in both reports.

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FOREST STEWARDSHIP PLANS (FSPs)

Recommendations to government

1. Government and its decision makers should not extend or approve FSPs that include:
 - ☐ results, strategies and measures that are unenforceable,
 - ☐ results or strategies that are not consistent to the extent practicable with government's objectives, or
 - ☐ measures that are not reasonable and appropriate.
2. Government should ensure that the public has at least one opportunity every five years for full review and comment on forest stewardship plans.
3. Government should establish a process for public review and comment on planned roads and cutblocks.

Government activities underway and planned:

- ☐ To support immediate improvements to FSPs, Minister Thomson issued province-wide expectations to District Managers, the Minister's delegated decision-makers under FRPA responsible for approving the content of FSPs. Pursuant to this government direction, the province's Chief Forester, Diane Nicholls, provided specific guidance on the replacement of FSPs. This guidance is intended to inform District Managers as they set their local expectations for FSPs in advance of FSP approval decisions. A copy of this guidance was shared with the Board upon its release in early March 2016.
- ☐ The ministry has developed a provincial FSP workshop that will be hosted across FLNR regions throughout spring 2016. These sessions are designed to assist industry professionals and government staff who are responsible for preparing, reviewing and adjudicating FSPs. The ministry has worked with the Association of BC Forest Professionals (ABCFP) and forest industry representatives to help design the workshops. I wish to thank the Board for contributing staff time during the development of the workshop content.
- ☐ To support public consultation on FSPs every five years, the Chief Forester's recent provincial guidance expressly notes that government expects replacement (new) FSPs, not extensions, for FSPs that are coming to the end of their term. By submitting a replacement FSP, the legal requirement for public consultation is triggered. This enables communities, tenured users, the general public and other affected parties to have a formal opportunity to present their perspectives during the planning phase. As per the *Forest Planning and Practices Regulations Section 21 and 22*, these comments must be considered, and the actions taken to address them must be included as part of the FSP submission to the District Manager.
- ☐ Government would like to see enhancements to public engagement in forestry planning. An area that government will be working on further, is building technology-based solutions for sharing the right information with the right parties at the right time. As such, government has no plans at this time to explore a new legislated process for public review and comment on proposed cutblocks and roads. Instead, we will turn resources toward finding solutions that support meaningful sharing of information between the forest industry and First Nations, non-forestry tenured users, municipal government, and the public.

- ☐ FRPA is a results-based model, where improvements are enacted over time based on evidence. We remain committed to the continuous improvement model for FRPA, and will continue to identify annual priorities for FRPA enhancement.

AUTHORITIES OF DISTRICT MANAGERS

Recommendation to government

Introduce a regulation to implement *Forest Act* section 81.1. The regulation should authorize District Managers to refuse a cutting permit or road permit if the Minister determines that any of the following applies:

- ☐ there is clearly significant risk to public health or safety;
- ☐ there is a clearly significant risk to forest resources or values;
- ☐ there is likely to be a contravention of legislation; or,
- ☐ the interests of another tenure holder have not been adequately addressed (if that tenure holder requests District Manager intervention).

Government actions underway and planned:

- ☐ The ministry is currently working with District Managers, legal counsel and policy specialists to further investigate and document: (a) the current suite of authorities that District Managers have; and, (b) the range of circumstances District Managers may face that challenge the exercise of such authorities.
- ☐ As a result of this work, any identified opportunities to strengthen legislation, policy, or decision-making support will be addressed as part of the annual FRPA continuous improvement strategy.

In closing, if the Board has any questions regarding the ministry's actions to address the Board's recommendations, please contact Norah White, Sustainable Forest Management Policy Officer, Resource Practices Branch, at norah.white@gov.bc.ca.

Yours truly,



Tom Ethier
Assistant Deputy Minister

cc: Tim Sheldan, Deputy Minister
Jason Fisher, Associate Deputy Minister, Forest Sector
Diane Nicholls, Chief Forester
All Regional Executive Directors
Jennifer Davis, Director, Resource Practices Branch
Kevin Edquist, Director, Compliance and Enforcement Branch
Perry Grilz, Director, Range Branch
Doug Stewart, Director, Forest Tenures Branch
All District Managers

Doug Fraser, Range Practices Officer, Range Branch
Lou Tromp, Senior Timber Tenures Forester, Forest Tenures Branch
Norah White, Sustainable Forest Management Policy Officer,
Resource Practices Branch
Christine Gelowitz, Association of BC Forest Professionals
Mike Larock, Director of Professional Practice and Forest Stewardship,
Association of BC Forest Professionals
Larry Fossum, President, BC Cattlemen's Association



File: File: 97325-20/2013-02

April 19, 2016

Tom Ethier
Assistant Deputy Minister
Resource Stewardship Division
Ministry of Forests, Lands and Natural Resource Operations
Box 9532, Stn Prov Govt
Victoria, BC V8W 9M1

Dear Tom Ethier:

Re: Response to the Board's Reports on Forest Stewardship Plans, FPB/SIR/44

Thank you for your letter of April 14, 2015, following up on Tim Sheldan's December 18, 2015, letter responding to the Board's recommendations in the above report.

We were pleased to see the Minister's and the chief forester's guidance to government staff with respect to handling expiring FSPs and ensuring the public and interested groups have the opportunity to review and comment on these FSPs at least once every five years. We also support the development of FSP workshops for those who prepare, review and approve FSPs and we encourage everyone involved to ensure they are implemented this spring, as planned. We look forward to reviewing some of the renewed FSPs in the coming year to see how they have been improved.

We also support the Ministry's efforts to develop technology-based solutions for information sharing on roads and cutblocks. We have seen good examples of this approach by some licensees and government offices and encourage broader adoption of these solutions and approaches. As you know, public satisfaction with the opportunities to have input to forestry decisions is declining and it's important to turn that around as soon as possible.

Thank you for updating us on your progress implementing the Board's recommendations. We look forward to continued updates as the enhancements to public involvement are further developed and as improvements to the FRPA framework are implemented.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Ryan".

Timothy S. Ryan, RPF
Chair