

# Timber Salvage Harvesting and Fisher Management in the Nazko Area

Complaint Investigation #16037

FPB/IRC/217 October 2018

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# **Board Commentary**

The Board investigated a complaint from two trappers operating in the Nazko area, west of Quesnel, about salvage harvesting of mountain pine beetle killed timber and the potential impacts to fishers and their habitats.

Fisher is a fur-bearing mammal and is designated as a species at risk in BC. The Nazko area is recognized as having some of the highest densities of fishers in the province. The investigation found that the complainants' concerns were substantiated. Government did not use the legal tools available to protect fisher habitat. While individual licensees made some attempts to retain fisher habitat in their cutblocks, without a coordinated plan, these efforts were insufficient.

The Nazko area experienced widespread mortality from pine beetles, which resulted in a rush by industry to salvage the dead timber while it still had economic value. Added to this, the area was extensively damaged by forest fires in 2017. Considering the significant impact in this area from mountain pine beetle, recent wildfires and the resulting salvage harvesting, there is a concern that there is, or soon will be, insufficient habitat to sustain a fisher population in the complainants' trapping territory and surrounding area. The Board is concerned that the rush to salvage the fire-damaged stands that remain in this area will further threaten fisher habitat. In accordance with section 131 of the *Forest and Range Practices Act* (FRPA), the Board is making the following recommendations:

- As previously recommended by the Board, government must take leadership on landscape level decisions.<sup>1</sup> Given the type of large scale salvage that is continuing to occur in this area, government should ensure that harvesting and retention planning in such salvage scenarios is coordinated between multiple licensees with spatially-explicit legal direction for species at risk and monitoring to ensure that planning is implemented and effective.
- 2. Government should use the legal tools under sections 9, 10, and 11 of the *Government Actions Regulation* or Section 7 of the *Forest Planning and Practices Regulation* for species-at-risk to protect remaining important fisher habitats in the Nazko area and manage to restore the local population over time.

In accordance with section 132 of FRPA, the Board requests that the Ministry of Forests, Lands, Natural Resource Operations and Rural Development respond to this recommendation by March 31, 2019.

This is one of several complaints about wildlife management and species at risk in particular received by the Board. As a result, the Board is conducting a special investigation that will assess whether the mechanisms available in FRPA and the Identified Wildlife Management Strategy are adequate for maintaining habitat for species at risk.

<sup>&</sup>lt;sup>1</sup> Forest Practices Board. *Biodiversity Conservation during Salvage Logging in the Central Interior of BC*. SR35. November 2009.

# **Executive Summary**

In July 2016, the Forest Practices Board received a complaint from two trappers operating in the Nazko area, west of Quesnel, about loss of fisher habitat due to salvage harvesting. The trappers claimed habitat loss would affect their livelihood and were concerned that salvage operations were not being managed to maintain fisher and other wildlife habitats. They would like steps to be taken to protect habitat and sustain wildlife populations in their trapping area.

The Board investigated planning and management by both government and the licensees in the area, including West Fraser Mills, C & C Wood Products, Pacific Bioenergy, Nazko Logging, Tolko Industries, and BC Timber Sales (BCTS) (the licensees).

The Nazko area experienced widespread forest mortality caused by mountain pine beetle infestations. The forests were then subjected to intense salvage harvesting, which peaked from 2004 to 2011. In 2017, forest fires burned through the area, including the complainants' traplines, which impacted both dead pine stands and live mature forest.

To answer the complainants' concerns about impacts of salvage harvesting on fisher habitat, the Board considered the following questions:

- 1. What actions has government taken to protect fisher habitat in the Nazko area?
- 2. How are forest licensees managing fisher habitat in the Nazko area?
- 3. What is the outcome of government and licensee actions?

The Board conducted site visits to review the extent of the salvage harvesting and interviewed licensees and government. The Board also analyzed logging activities in the Nazko area.

The Board found the complainants' concerns were justified. Government did not use the legal tools available to protect fisher habitat. Instead, it assumed that the legal provisions for protecting biodiversity and riparian values, supplemented with non-legal guidance, would be sufficient. Individual licensees made some attempts to retain habitat for fishers at the stand level. However, without coordination of harvesting at the landscape level, and with the extent of the salvage harvesting that took place, these efforts were insufficient. Government did not monitor or follow-up to see if guidance was being followed or what the results on the ground meant for fisher habitat.

Mapping done by the Board shows rapid salvage harvest of beetle-killed pine in the complainants' trapping area altered the forest structure significantly between 2002 and 2017. Fisher populations appear to be at a high risk of decline or extirpation due to the magnitude of habitat disturbance over the past 15 years from mountain pine beetle, fire and salvage harvesting. In the rush to salvage the timber while the trees still had economic value, fisher habitat in the Nazko was largely sacrificed.

# Introduction

# **The Complaint**

In July 2016, the Forest Practices Board received a complaint from two trappers operating in the Nazko area, west of Quesnel (Figure 1), about salvage harvesting as a result of the mountain pine beetle infestation. They were concerned that salvage operations were not being managed to maintain fisher and other wildlife habitats. They said the loss of fishers in that part of BC would affect their livelihood, and the ability to relocate fishers to other regions, including the United States. They would like steps taken to protect habitat and sustain wildlife populations in their trapping area.

Since the complainants' concerns were not specific to any one licensee or agency, the Board decided to investigate planning and management by both government and the licensees in the area, including West Fraser Mills, C & C Wood Products, Pacific Bioenergy, Nazko Logging, Tolko Industries, and BC Timber Sales (BCTS) (the licensees).



Figure 1. Location of trapping area.

# Background

## **Location and History**

The complainants' trapping area is in the Nazko area west of Quesnel within the Quesnel Timber Supply Area (TSA). The forest is dominated by lodgepole pine and has been impacted by mountain pine beetle infestations since the 1980s. An unprecedented infestation in the late 1990s through the 2000s led to extensive salvage harvesting.

At the height of the salvage operations between 2004 and 2011, the Quesnel TSA allowable annual cut (AAC) was more than doubled to harvest beetle-killed timber while it remained economically viable. Government issued short-term licences for salvage harvesting and encouraged all licensees to focus their harvesting on dead pine. Rules established under the *Forest Planning and Practices Regulation*<sup>4</sup> (FPPR) to control harvest timing adjacent to existing cutblocks no longer applied. Agreements about which licensees would operate in which part of the TSA were eventually ignored. As salvage progressed, stands previously considered uneconomic were clearcut harvested. Stands were mostly dead (greater than 50 percent), but often held some live timber. The result was extensive harvesting over the complainants' trapping area in a 10-15 year period.

In 2017, one of largest wildfires in BC's history burned through most of the Nazko area, including the complainants' trapping area, impacting both dead pine stands and live mature forest.

# **Fisher Ecology**

Fisher is considered a species of special concern by the BC Conservation Data Centre<sup>ii</sup> and designated a species at risk under the *Forest and Range Practices Act* (FRPA).<sup>iii</sup> Fishers are associated with stands that have high structural complexity (i.e., abundant large trees, snags and coarse woody debris) and provide closed canopy forest with good snow interception. They prefer landscapes with large areas of contiguous interior forest and avoid non-forested openings. Research found that a 5 percent increase in open area within a fisher home range decreased the relative probability of occupancy by 50 percent.<sup>iv</sup> Leaving some large trees within a cutblock can substantially reduce the time it takes for an opening to provide suitable habitat—to about 20 years from almost 100 years. Stands with mostly-dead timber may still provide important habitat elements for fishers.

Prior to the recent mountain pine beetle infestation, the BC Ministry of Environment and Climate Change Strategy considered the Nazko area to have some of the highest densities of fishers in the province. Fishers are often live-trapped in this area to relocate to other parts of the province where they have been extirpated. The Ministry advised the Board that populations and trapping harvest levels both dropped in recent years, likely due to habitat loss from resource extraction and other human developments.

# **Investigation Results**

To answer the complainant's concerns about impacts of salvage harvesting on fisher habitat, the Board considered the following questions:

- 1. What actions has government taken to protect fisher habitat in the Nazko area?
- 2. How are forest licensees managing fisher habitat in the Nazko area?
- 3. What is the outcome of government and licensee actions?

To investigate these questions, the Board conducted interviews with trappers and local forest professionals, reviewed available literature and planning documents, visited the area and consulted with wildlife specialists.

# 1. What actions has government taken to protect fisher habitat in the Nazko area?

Potential actions available to government to help protect fisher habitat under FRPA include legal direction, non-legal guidance and monitoring of implementation and effectiveness.

## Legal Direction

Government established a general provincial wildlife objective under FRPA to, without unduly reducing the supply of timber, conserve sufficient wildlife habitat in terms of amount of area, distribution and attributes for the survival of species at risk. Even though fisher is designated a species at risk, this objective confers no automatic protection. The designation enables government to protect habitat using legal tools available under FRPA, such as section 7 notices<sup>2</sup> under the FPPR, and general wildlife measures and designations of wildlife habitat areas, both under the *Government Actions Regulation*. To date, government has used no legal tools to specifically protect fisher habitat in the Nazko area.

Planning objectives in the 1995 *Cariboo Chilcotin Land Use Plan* (CCLUP) were made legal in the *CCLUP 90-Day Implementation Report* and the associated 2011 Land Use Order.<sup>v</sup> Fishers are not explicitly singled out for legal objectives, but are included with furbearers, which are assumed to be protected under existing requirements for riparian and other reserves, old growth management areas, wildlife tree retention requirements and the *Regional Biodiversity Conservation Strategy*.<sup>3</sup>

The complainants' trapping area crosses several landscape units, mostly with a "Low" biodiversity emphasis option (BEO). These areas are generally assigned a "Low BEO" because social and economic objectives, such as timber supply, are the highest priority. This option will provide habitat for a wide range of native species but the pattern of natural habitat will be significantly altered and the risk of some species being unable to survive in this area will be relatively high. (Endnote BDGB 1995) A 2004 update to the *Regional Biodiversity Conservation Strategy* allowed for a one-time reduction in mature forest below the legal targets set in the CCLUP for the various landscape units to facilitate the salvage

<sup>&</sup>lt;sup>2</sup> The minister provides legal notice to licensees indicating that a certain amount, distribution and attributes of habitat must be maintained (known as section 7 notices under the FPPR).

<sup>&</sup>lt;sup>3</sup> The CCLUP 90-Day Implementation Report states "To manage for grizzly bear, moose, furbearer, species at risk and other sensitive habitats within the areas identified as riparian buffers, recreation areas, caribou habitat and lakeshore management zones and throughout the polygon under the biodiversity conservation strategy."

of mature pine stands. It also required a recruitment strategy to ensure that mature and old forest targets in the CCLUP are not unduly compromised over the long term.<sup>vi</sup>

## Non-legal Guidance

## Retention for biodiversity

Government can manage habitat for wide-ranging species like fishers at the stand and landscape level. In 2004, the chief forester recommended a temporary increase in stand-level retention for biodiversity in the Quesnel TSA during salvage operations, until the harvested areas recovered hydrologically. In 2005, the chief forester provided provincial guidance for landscape and stand-level retention in salvage operations, which included recommendations for collaborative long-term landscape-level retention planning.<sup>vii</sup> All of these recommendations were for habitat in general, and not specifically for fisher.

In 2006, the Quesnel Natural Resource District led a collaborative process with local licensees and government professionals to develop a strategy for implementing the recommended 2004 short-term increase in retention.<sup>viii</sup> This process designed and mapped conservation legacy areas (CLAs) as enhanced temporary retention.<sup>4</sup> Afterwards, as the salvage harvesting progressed, government encouraged licensees to collaborate on their own landscape-level planning.

#### Stand level practices for fisher

Since 2005, the chief forester, the Quesnel Natural Resource District and local furbearer specialists all provided guidance to local licensees to help retain fisher habitat features at the stand or cutblock level. In summary this guidance included recommendations to:

- Maintain areas of dead pine to help sustain cavity-nesting species.
- Retain areas of non-pine or stands with low pine component.
- Carefully plan the size of retention patches and their location at both the stand and landscape levels, and to focus enhanced retention around riparian areas.
- Protect stands with non-pine species with a buffer of dead pine.
- Ensure retention consists of at least five non-pine stems per hectare in high-quality stands and one stem per hectare in the remainder of the block.
- Leave large-diameter pieces of coarse woody debris both dispersed and in piles.

In 2014, after the complainants expressed concerns to licensees and the district about the loss of fisher habitat, the provincial furbearer specialist held a two-day field workshop for licensee professionals in Quesnel. The purpose was to discuss best management practices to meet fisher habitat needs during salvage operations. The specialist referred the professionals to an online decision tool provided by the BC Fisher Habitat Working Group to assess the habitat values in proposed cutblocks.<sup>ix</sup> Maps presented at the workshop showed a significant increase in non-forested openings within the complainants' trapping areas since the start of salvage harvesting (see Figures 2a and 2b).

<sup>&</sup>lt;sup>4</sup> Enhanced Temporary Retention—This retention was considered 'enhanced' because it was intended to be over and above wildlife tree requirements. It was also temporary because it was to be left only up to 30 years when cutblocks would recover hydrologically.

# Monitoring

When the district and licensees developed an enhanced temporary retention strategy in 2006, they designed monitoring questions to assess implementation and effectiveness of the strategy. Since then, licensees have reported enhanced retention in a government database and the district annually assesses stand level retention for biodiversity on random cutblocks. To date, the district has not reported out on answers to the monitoring questions for the 2006 Enhanced Retention Strategy.

In 2006 and 2007, the Ministry of Environment and Climate Change Strategy conducted some monitoring of general habitat features on pine salvage blocks larger than 100 hectares across the portion of the Cariboo Region impacted by mountain pine beetle. However, no stand level monitoring has specifically examined consistency with non-legal guidance for fishers on cutblocks where fisher habitat is important. While government must issue a permit for all road-building and harvesting applications, its role for such authorizations under FRPA is limited and does not include ensuring either legal direction nor non-legal guidance is being followed.<sup>×</sup>

## Finding

Though fishers are designated a species at risk, government did not use legal tools available under FRPA to protect fisher habitat. Instead, it assumed that general requirements and guidance for biodiversity and other values would adequately protect fisher habitat. Government initially led planning for enhanced retention at the landscape level, but as salvage harvesting progressed, it encouraged licensees to collaborate on their own landscape-level planning. Government provided some non-legal stand level guidance specifically for fishers, but did not monitor to see if that guidance was being followed. Government has no legal authority to ensure guidance is followed when development permits are issued.



**Figure 2a.** Forest stand age in the trapping territory in 2002. Similar to maps presented at a fisher habitat management workshop.



**Figure 2b**. Forest stand ages, in the trapping territory in 2017.

# 2. How are forest licensees managing fisher habitat in the Nazko area?

## Legal Direction

Under FRPA, forest licensees must identify a result or strategy in a forest stewardship plan (FSP), consistent with government's objectives, describing the actions they will take as a minimum to meet the objectives. The Board reviewed FSPs of the licensees and observed practices on the ground in the complainants' trapping territory.

In general, FSP strategies address the CCLUP objectives with commitments to manage for the biodiversity targets in the *Regional Biodiversity Conservation Strategy*; follow seral targets for mature and old forest; meet wildlife tree retention targets; and not to harvest in old growth management areas.

For species at risk, some FSPs state that the licensee will follow the procedures in the *Identified Wildlife Management Strategy* (2004),<sup>5</sup> most of which are directed at landscape-level planning for connectivity, amounts of mature and old forest, and planning cutblock locations. None of the FSPs include specific commitments related to fisher habitat.

<sup>&</sup>lt;sup>5</sup> The IWMS provides direction, policy, procedures and guidelines for managing Identified Wildlife. Identified Wildlife are managed through the establishment of wildlife habitat areas (WHAs) and the implementation of general wildlife measures (GWMs) and wildlife habitat area objectives, or through other management practices specified in strategic or landscape level plans.

#### **Non-legal Guidance**

#### Retention for biodiversity

Initially in 2006, licensees collaborated with district staff to plan CLAs across the landscape, implementing the guidance for additional enhanced temporary retention for biodiversity. Even though the chief forester, and later the district manager, recommended continued collaborative landscape-level planning by licensees as the best option to manage retention, licensees generally did not follow that advice.<sup>6</sup> FLNRO said collaboration was breaking down in the rush to harvest dead pine and the increasing competition between multiple licensees harvesting in the same area. The result was that stands voluntarily retained by some licensees were being harvested by other licensees before new stands could grow enough to provide adequate habitat for fisher.

The licensees showed the complainants their harvesting plans and cutting permit maps. However, with no coordination of planning, no long-term strategy and a high level of harvesting urgency, the complainants said plans and harvesting criteria changed constantly, and it was difficult to understand specific impacts on their trapping area.

#### Stand level practices for fisher

Board investigators observed large clearcut openings with no standing timber within the complainants' trapping area (Photo 1). Investigators noted some examples of retention internal to cutblocks in more recent harvesting to address intentions for fishers in corresponding site plans. Licensees said they tended to focus retention at the edge of blocks through the salvage period because of potential windthrow and safety concerns, adding there was typically little live timber to leave within a block. Still, many habitat elements found in mostly-dead stands are important for fishers.

Some licensees also said they followed guidance in managing fisher habitat by retaining broadleaf trees, usually in riparian areas, and located patches where possible so an animal is no more than 250 metres from a forest edge. Yet, with relaxed rules for timing adjacent cutblocks and no coordinated licensee planning, harvesting by other licensees could negate such efforts.



Photo 1. A 1000 + hectare opening with no in-block retention. Harvested 2008-2010.

<sup>&</sup>lt;sup>6</sup> In one case, a licensee developed a plan to maintain connectivity corridors using non-legal enhanced retention areas and other licensees harvested these areas.

# Monitoring

No targeted stand level monitoring has been conducted in this area to examine consistency with nonlegal guidance for fishers on cutblocks where fisher habitat is important.

## Finding

While FSPs included commitments to manage for biodiversity targets in the *Regional Biodiversity Conservation Strategy* under the CCLUP, the Board observed little retention internal to cutblocks and negligible effective fisher habitat in large openings. Government encouraged licensees to coordinate harvest and retention planning at the landscape level, but licensees did not follow this advice. Some licensees say they implemented stand level guidance, but this has not been confirmed by government monitoring. Many large openings with little internal retention are evident on the ground, contrary to the stand level guidance. Retention is more evident in recent cutblocks.

# 3. What is the outcome of government and licensee actions?

While government initially led some collaborative planning for retention on the landscape, salvage harvesting progressed, retention areas were being harvested by other licensees before new stands provided adequate habitat for fisher.

As shown in Figures 2a, 2b and 3, rapid salvage harvest of beetle-killed pine in the complainants' trapping area altered the forest age structure significantly between 2002 and 2017. Without suitable habitat retention between cutblocks to maintain interior forest habitat, stand-level retention within the cutblocks will not provide enough habitat to sustain the fisher population.



**Figure 3.** Updated map showing the extent of young forest and the area impacted by wildfire in the trapping area in 2017.

In 2017, government conducted a cumulative effects assessment in the Quesnel TSA for marten, which have similar but less stringent habitat requirements to fisher. The assessment found no suitable home range for marten in the southern half of the area covered by this complaint, and no high-value home range in the northern half.<sup>xi</sup> Further, much of the habitat remaining was scheduled for harvesting by 2018. This result indicates a high risk of marten population decline and/or local extirpation. The cumulative effects on fishers are expected be even greater than for marten because of their greater sensitivity and requirements for larger trees in larger home ranges with interior forest habitat. No assessment has been completed to date to determine the actual impact on the fisher population.

To add to this dire situation, in 2017, one of largest wildfires in BC's history burned through the Nazko area and the complainants' trapping area (Figure 3), further reducing the amount and quality of habitat features for fisher.

## Finding

Fisher populations appear to be at a high risk of decline or extirpation due to the magnitude of habitat disturbance over the past 15 years from mountain pine beetle, fire and salvage harvesting. Due to the lack of coordinated landscape level planning, opportunities to maintain the limited remaining habitat have likely been lost. Stand-level practices within cutblocks, including temporary enhanced retention, are not adequate to ensure that regenerating stands are suitable for fishers when the enhanced retention areas are eventually logged. No assessment has been completed to confirm impacts on fishers, or to evaluate the impacts of habitat disturbance on other listed and/or sensitive wildlife species.

# Conclusions

The complainants were concerned that government and licensees in the Nazko area were not adequately managing salvage operations to maintain fisher and other wildlife habitats. The Board investigated how government and forest licensees were managing habitat for fisher.

The Board found the complainants' concerns were justified. Government did not use the legal tools available to protect fisher—a species at risk—but instead assumed that the legal provisions for protecting biodiversity and riparian values, supplemented with non-legal guidance, would be sufficient. Individual licensees made some attempts to retain habitat for fisher at the stand level. However, without coordination of harvesting at the landscape level, and with the extent of the salvage harvesting that took place, these efforts were insufficient. Government did not monitor or follow-up to see if guidance was being followed or what the results on the ground meant for fisher habitat.

Mapping done by the Board shows rapid salvage harvest of beetle-killed pine in the complainants' trapping area altered the forest structure significantly between 2002 and 2017. Fisher populations appear to be at a high risk of decline or extirpation due to the magnitude of habitat disturbance over the past 15 years from mountain pine beetle, fire and salvage harvesting. In the rush to salvage the timber while the trees still had economic value, fisher habitat in the Nazko was largely sacrificed, and this has negative implications for other sensitive and/or listed species requiring contiguous tracts of mature forest with high structural complexity (e.g., northern goshawk).

# ENDNOTES

<sup>i</sup> Ministry of Environment. 2006. Wildlife habitat objectives: considerations respecting the content of forest stewardship plans. FRPA General Bulletin Number 6. April 18, 2006.

<sup>ii</sup> BC Conservation Data Centre: Species Summary. Pekania pennant Fisher.

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iii B.C. Government Actions Regulation. 2006. (B.C. Reg. 582/04)

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<sup>iv</sup> Weir, R.D. and F.B. Corbould. 2010. *Factors Affecting Landscape Occupancy by Fishers in North-Central British Columbia.* J. of Wildlife Management 74(3):405-410

<sup>v</sup> Summary of CCLUP Legal Requirements and Selected Non-Legal Direction. 2005. <u>www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/cariboo-region/cariboochilcotin-rlup/summary\_cclup\_legal\_requirements\_selected\_non-legal\_direction.pdf</u>

v<sup>i</sup> Regional Biodiversity Conservation Strategy Update Note #8. Strategy for Management of Mature Seral Forest and Salvage and Mountain Pine Beetle-Killed Timber. 2004. www.for.gov.bc.ca/hfd/LIBRARY/Reg\_Bio\_Con\_Str/UpdateNote8.pdf

<sup>vii</sup> BC Ministry of Forests. 2005. *Guidance on Landscape- and Stand-level Structural Retention in Large-Scale Mountain Pine Beetle Salvage Operations*.

viii Quesnel Forest District Enhanced Retention Strategy Committee. 2006. *Quesnel Forest District Enhanced Retention Strategy for large scale salvage of mountain pine beetle impacted stands*. Release 1.0. February 2006.

<sup>ix</sup> Habitat Conservation Trust Foundation. BC Fisher Habitat and Forestry Web Module. <u>www.BCFisherHabitat.ca</u>

× Forest Practices Board. *District Managers' Authority Over Forest Operations* SR 52. December, 2015.

<sup>xi</sup> BC Ministry of Forests, Lands and Natural Resource Operations. 2015. *A Broad Scale Cumulative Impact Assessment Framework for the Cariboo-Chilcotin*. <u>www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/cumulative-effects/ce\_assessment\_for\_cariboo-chilcotin\_18\_mar\_2016.pdf</u>



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