

AUDIT OF FOREST PLANNING AND PRACTICES

Valemount Community Forest Company Ltd.

Forest Licence A93987 and Community
Forest Agreements K5Q and K2T

DECEMBER 2024
FPB/ARC/269



**Forest
Practices
Board**

BC'S INDEPENDENT
WATCHDOG FOR
SOUND FOREST &
RANGE PRACTICES

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Board Commentary

As part of its annual audit program, the Forest Practices Board (the Board) conducted a full scope compliance audit of Forest Licence A93987 and Community Forest Agreements K5Q and K2T held by the Valemount Community Forest Company Ltd. (VCF) in the Prince George Natural Resource District. The audit results are described in detail later in this report.

Although the audit found that the VCF complied with most *Forest and Range Practices Act* (FRPA) and *Wildfire Act* requirements, the Board is concerned with the number of non-compliances in this audit.

Professional oversight of bridge construction and maintenance in the forestry sector has been a long-standing issue, as reported by the Board in its 2014 and 2020 special investigations on bridge construction. As a result of the Board's previous recommendations, Forest Professionals British Columbia and Engineers and Geoscientists BC reviewed and established professional practices, guidelines and guidance for forest professionals for bridge planning and design.

This audit revealed that issues with bridge construction and maintenance persist, especially regarding the definition of bridges and the lack of required documentation for bridge construction. We encourage all forest professionals to ensure they meet these practice requirements.

The audit also found that wildlife tree retention areas were not established and reported for commercial thinning cutblocks. While this finding is not considered significant, it points to a gap in the *Forest Planning and Practices Regulation*—sections 33(1) and 44(3)—which exempts licensees from preparing site plans for commercial thinning activities. Site plans serve to link operational planning commitments to harvest activities. Without a site plan, there is no assurance that resource values will be adequately protected in an area subject to harvesting.

The audit also found that the VCF did not comply with requirements for annual reporting, road site plans and wildfire protection. Establishing fuel breaks prior to fuel hazard abatement is especially important near communities.

The level of non-compliance found in this audit does not impart confidence that the licensee is adequately managing for legally required stewardship values. All licensees are expected to comply with their legal obligations under FRPA and the *Wildfire Act*.

Audit Results

Introduction

The Forest Practices Board (the Board) is the public's watchdog for sound forest and range practices in British Columbia. One of the Board's roles is to audit the practices of the forest industry to ensure compliance with the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act*.

As part of the 2023 Forest Practices Board audit program, the Board randomly selected the Prince George Natural Resource District (the district) and within the district it selected community forest agreements K5Q and K2T and forest licence A93987, all held by the Valemount Community Forest Company Ltd. (VCF), for audit.

This report explains what the Board audited and the results. Detailed information about the Board's compliance audit process is provided in Appendix 1.

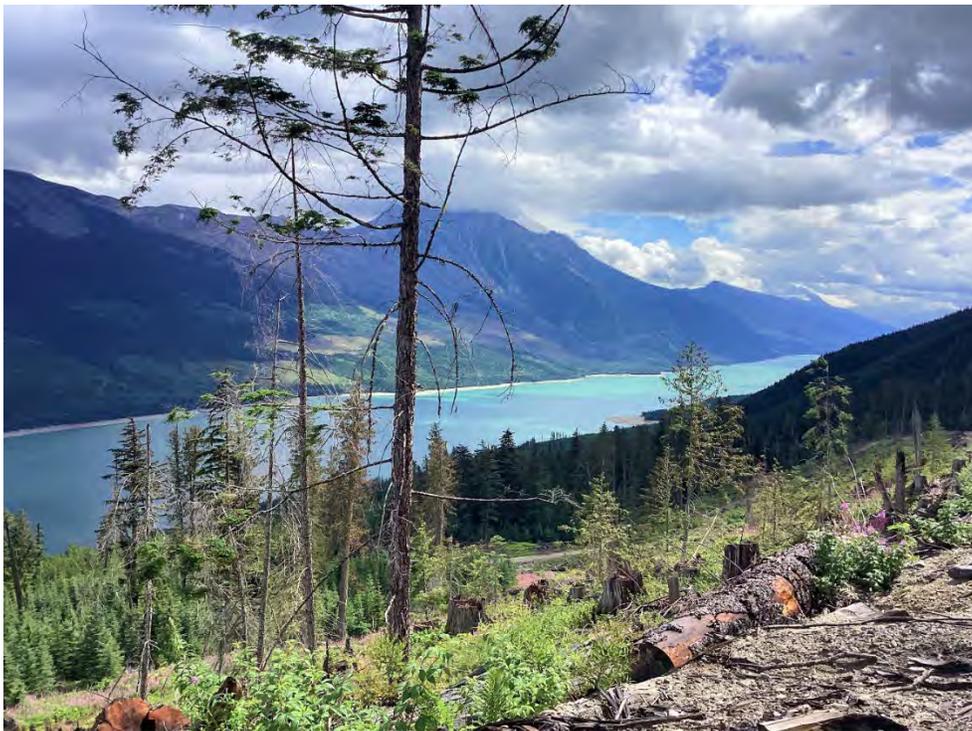


Figure 1. Overlooking Kinbasket Lake from the Valemount Community Forest.

Background

The tenures held by the VCF are located in the Robson Valley portion of the Rocky Mountain Trench at the north end of Kinbasket Lake in east-central British Columbia. They are administered by the district office in Prince George (Figure 2).

The VCF officially started in 2008 with the Village of Valemount as its sole shareholder. It holds two community forest agreements (K5Q and K2T) and one forest licence (A93987), operating over an area of approximately 140 000 hectares. All three tenures are located between Wells Gray and Mount

Robson provincial parks in the northern Rockies, and have a combined allowable annual cut of 98 000 cubic metres. The VCF harvested approximately 236 700 cubic metres during the audit period.¹

The bottomlands of the Rocky Mountain Trench are flat to rolling, while the adjacent snow-capped mountain ranges are rugged with steep forested slopes. The landscape's diversity is reflected in a broad mix of tree species and wildlife habitats. The area contains four biogeoclimatic zones (Interior Cedar-Hemlock, Sub-Boreal Spruce, Engelmann Spruce-Subalpine Fir, and Alpine Tundra) and sixteen subzones. The area is dominated by spruce, subalpine fir, lodgepole pine, western red cedar and western hemlock, with smaller components of Douglas-fir and various deciduous species.

Recreation is popular in the area and the licensee has an ongoing partnership with the Valemount Glacier Resort, where logging is used to establish new ski runs.

The Simpcw First Nation and Tsq'escen First Nation (formerly the Canim Lake Band) have occupied the territory since time immemorial, and the licensee is committed to working with them to preserve their interests on the landbase. The Board recognizes First Nations' deep connection with the land that continues to this day.

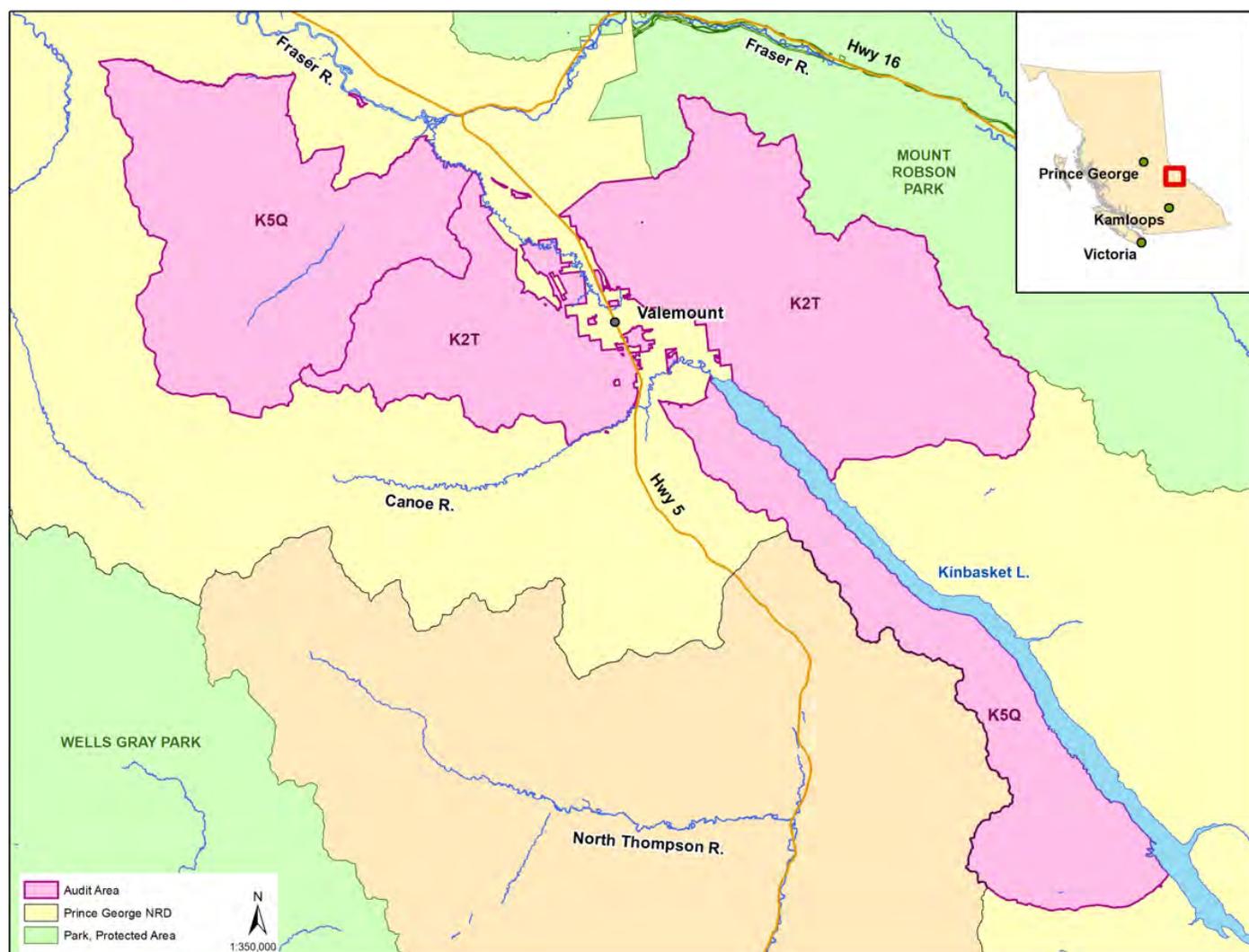


Figure 2. Map of the Audit Area

¹ While this level of cut is high in relation to the allowable annual cut, it is possible for the VCF to harvest up to 100 percent of its five-year cut control cycle (490 000 cubic metres) in just one or two years, creating the appearance that it has harvested more than the actual allowable annual cut.

Audit Approach and Scope

This was a full scope compliance audit with a two-year timeframe. All activities the licensee carried out between July 1, 2021, and July 28, 2023, were subject to audit. The activities included harvesting, road and major structureⁱ construction, maintenance and deactivation, silviculture, wildfire protection and associated planning.

Auditors assessed these activities for compliance with FRPA, the *Wildfire Act*, and applicable regulations and legal orders. Auditors’ work included interviewing VCF staff and contractors, reviewing the forest stewardship planⁱⁱ (FSP) and site plans, assessing silviculture records and conducting site visits with the licensee to review field practices. Auditors accessed all sites by road. The audit team consisted of two professional foresters and one professional geoscientist and forester. The team was in the field from July 24 to 28, 2023.

The standards and procedures used to carry out this audit are set out in the Board’s *Compliance Audit Reference Manual, Version 7.1, July 2016*.

Planning and Practices Examined

The following planning and practices apply to all three of the agreements audited.

Operational Planning

The VCF planned its activities under FSP#119, which was approved in 2017. Auditors examined the FSP for consistency with objectives set by government, which includes non-spatial old-growth, visual quality and recreation values. Auditors also reviewed site plans to assess whether they accurately described how the intended results and strategies outlined in FSP#119 apply to the site and whether the site plans accurately reflected field conditions.

Timber Harvesting

Auditors examined 17 of the 31 cutblocks harvested by the VCF during the audit period.

Road and Major Structure Construction, Maintenance and Deactivation

The VCF constructed roads and bridges and maintained existing roads and bridges during the audit period. The population and sample for roads and structures are shown in Table 1.

TABLE 1. Population and Sample for Road and Bridge Activities

ACTIVITY	POPULATION	SAMPLE
	(Kilometres)	(Kilometres)
Road Maintenance	36.6	17.3
Road Construction	135.7	82.4
	(Structures)	(Structures)
Bridge & Major Culvert Maintenance	13	13
Bridge & Major Culvert Construction	6	6

Silviculture Obligations and Activities

The VCF conducted planting and brushing activities and had regeneration and free-growing obligations during the audit period. The population and sample for silviculture activities and obligations are in Table 2. The audit also looked at the annual reporting requirements associated with the harvest and silviculture activities audited.

TABLE 2. Population and Sample for Silviculture Activities and Obligations*

OBLIGATIONS AND ACTIVITIES	POPULATION (Cutblocks)	SAMPLE (Cutblocks)
Planting**	27	10
Brushing	12	6
Regeneration Obligations (due or declared)	17	8
Free-growing Obligations (due or declared)**	13	8

* All free-growing and regeneration cutblocks in the population were evaluated for forest cover reporting.

** All planting and free-growing cutblocks were evaluated for conformance with the chief forester's seed transfer guidelines.

Wildfire Protection

Auditors examined fire hazard assessment and abatement activities. Auditors visited one active site during the field audit. The population and sample of wildfire protection activities are shown in Table 3.

TABLE 3. Population and Sample for Wildfire Activities

ACTIVITY	POPULATION (Cutblocks)	SAMPLE (Cutblocks)
Fire Hazard Assessment	18	18
Fire Hazard Abatement	17	17
Fire Preparedness at Active Work Sites	1	1

Findings

Besides the findings of significance identified below, the audit found that the VCF's planning and practices generally complied with FRPA and the *Wildfire Act*. However, the audit identified five significant non-compliances related to bridge maintenance and construction, fire hazard assessment and abatement, fire protection and harvest reporting, which are addressed first, as well as, two areas requiring improvement related to road construction and cutblock reserves.

Findings of Significance

Bridge Maintenance

Section 75ⁱⁱⁱ of the *Forest Planning and Practices Regulation* (FPPR) requires the VCF to address structural bridge defects to protect industrial users, including repairing, closing, removing, replacing the bridge or restricting traffic loads to a safe level.

Auditors found that guardrails had detached and fallen into the stream below at the bridge located at the 11.4-kilometre point of the Westridge Mainline. Other components were damaged and not repaired before being used by industrial traffic during the audit period. While guardrails are not a load-bearing component of a bridge, they provide drivers with a physical warning that they are

approaching the edge of a bridge and act as a visual guide. It is important that they are substantial and well-secured.

The Board views guardrails as an important structural safety component of bridges. While the VCF was aware of the condition of the guardrails, it did not repair them and continued to use the bridge for industrial purposes. The guardrails were damaged and not well secured, and the licensee did not take steps to protect the safety of industrial traffic. The licensee did not comply with section 75 of the FPPR. This is considered a significant non-compliance.

Bridge Construction

Section 72^{iv} of the FPPR requires the VCF to ensure the bridges it constructs are structurally sound and safe for industrial use. Section 77^v of the FPPR requires the licensee to prepare relevant field and construction data and prepare record drawings (as-builts) for bridges it constructs, and to retain these documents for as long as the corresponding structures are in place, or until the licensee is no longer responsible for maintaining access.

The VCF required three crossings to access cutblocks DH22, WC22 and WC39. The licensee installed a 9.144-metre portable bridge to access cutblock WC39 and constructed two wood box culverts to access cutblocks DH22 and WC22. Auditors found that the spans of both wood box culverts exceeded 6 metres from bearing to bearing, which means that they are classified as bridges.

Constructing bridges requires qualified professional involvement to oversee and prepare certain documentation before and after the bridge is constructed. These documents are specifically described in the *Professional Services in the Forest Sector: Crossings*² practice guidelines and are professional practice requirements that also meet the requirements of section 77 of the FPPR. At a minimum, there needs to be a design, crossing assurance statements and an as-built or record drawing for each bridge. These documents are important to demonstrate how a licensee ensures the protection and safety of industrial road users, as required by section 72 of the FPPR.

The VCF did not prepare any of the required documentation for the bridges that were installed. As such, auditors could not determine how the VCF ensured these bridges were sound and safe for industrial use.

Auditors did not have concerns with the safety of the structures, and no negative impacts to forest resources were noted. However, the licensee did not comply with sections 72 and 77 of the FPPR for three of six of its new structures. These non-compliances are considered significant.

Fire Hazard Assessment and Abatement

Section 7(1)^{vi} of the *Wildfire Act* requires persons carrying out an industrial activity to conduct fire hazard assessments at prescribed intervals. Sections 11(2) and (3)^{vii} of the *Wildfire Regulation* describe the intervals and indicate that fire hazard assessments be completed within six months of conducting an industrial activity, or three months when conducting such activity in a high hazard area, including in or near a municipality.

Auditors examined 18 fire hazard assessments, 4 of which were for cutblocks located in a high hazard area. The licensee completed the assessments but failed to do so in the legislated time frame for 12

² <https://tools.egbc.ca/Practice-Resources/Individual-Practice/Guidelines-Advisories/Document/01525AMW23GFLUWJCAIFGI3P5YWZKMZS3G/Professional%20Services%20in%20the%20Forest%20Sector%20-%20Crossings>

cutblocks and, as a result did not comply with the fire hazard assessment requirement in section 7(1) of the *Wildfire Act*.

Section 22(1)(e)^{viii} of the *Wildfire Regulation* requires the VCF to establish a fuel break around harvest debris piles and the cutblock prior to abatement. The VCF abated piles in six cutblocks near the community of Valemount during the audit period by piling slash and burning it at a time when weather conditions were suitable. However, auditors found that fuel breaks were not present and that the fire spread beyond the piles and damaged trees adjacent to the piles and outside the cutblock boundaries. In addition, three of these cutblocks were in a high-risk area surrounding the village of Valemount. Because the VCF could not ensure the fire was contained within a fuel break, it did not comply with section 22(1)(e) of the *Wildfire Regulation*.

These non-compliances are considered significant. Together, they point to systemic issues with the licensee's fire hazard abatement practices.

Fire Protection

Section 6(2)^{ix} of the *Wildfire Regulation* requires that a person who carries out high-risk activities from March to November must determine the Fire Danger Class for the location of the activity. Section 6(3)^x of the *Wildfire Regulation* requires that when there is a risk of a fire starting or spreading, timber harvesting be conducted according to applicable restrictions and that an adequate fire suppression system and sufficient fire tools be kept at the activity site.

During the field audit, auditors assessed fire preparedness at cutblock PS04 while timber harvesting and processing took place. Activities such as tree felling and processing meet the definition of high-risk activities and are therefore subject to sections 6(2) and 6(3) of the *Wildfire Regulation*. The contractor on site had knowledge of the fire risk, the procedure to follow in case of a fire starting, and had adequate fire tools and a suppression system. However, the auditors found that the water pump could not be started. Therefore, the fire suppression system and preparedness were inadequate, which is a significant non-compliance with section 6(3) of the *Wildfire Regulations*.

Harvest Reporting

Section 86(3)^{xi} of the FPPR requires licensees, including community forest agreement holders, to submit information related to timber harvesting. For example, licensees are required to submit information related to cutblocks and wildlife tree retention areas, and must update the forest cover inventory using the government's Reporting Silviculture Updates and Land Status Tracking System (RESULTS) platform.

The information required under FPPR section 86(3) can have long-term implications for resource management on public land, calculations of timber supply, and seral stage analysis, to name a few.

Auditors evaluated the entries the VCF submitted in RESULTS during the audit period. Of the 24 harvested cutblocks reported in RESULTS, 8 were reported late or had information missing. This does not comply with section 86(3) of the FPPR. As it affects one-third of the cutblocks sampled, this issue is pervasive and considered a significant non-compliance.

Areas Requiring Improvement

Wildlife Tree Retention Areas

Section 86(3)(a)(iv) of the FPPR requires licensees to report the location and size of wildlife tree retention areas (WTRAs) to the government on an annual basis. Establishing and reporting WTRAs ensures that sufficient wildlife trees are set aside and protected to provide wildlife habitat over the long term. WTRAs are reported as long-term reserves, as either dispersed or grouped trees.

The VCF harvested three commercial thinning cutblocks during the audit period. Commercial thinning meets the definition of harvest in section (1) of the FPPR.^{xii} Therefore, these cutblocks are required to contain WTRAs, per section 66(2)^{xiii} of the FPPR. While the trees retained in these cutblocks would meet retention requirements, the VCF did not identify any WTRAs in its plans and did not report any WTRAs to the government.

By not reporting the WTRAs to the government, the VCF did not ensure sufficient long-term wildlife habitat was protected and it did not comply with section 86(3)(a)(iv). Because this issue was limited to the three commercial thinning cutblocks with adequate retention, this finding is considered an area requiring improvement.

Site Plans for Roads

Section 10^{xiv} of FRPA requires the VCF to prepare site plans for roads before the start of timber harvesting that relate to the road's construction. It is important to prepare a site plan to ensure the licensee's commitments in its FSP are adequately addressed and forest resources are protected.

The licensee built two new roads, totalling close to three kilometres, to access the harvest cutblocks CV01 and WC22. These roads linked West Canoe Mainline to each cutblock and were located through stands of merchantable timber, which required timber harvest during road construction. The sections of these roads that were outside of the cutblock boundaries were not included in the cutblock site plans, did not have a separate site plan and did not comply with section 10 of FRPA.

These two sections of road are a small percentage (eight percent) of the total length of road that was constructed in the audit period. The road leading to the cutblock CV01 was within a visual quality polygon (with a visual quality objective of 'modification'), but auditors found there was no adverse impact caused by the road building. Therefore, this non-compliance is an area requiring improvement.

General Findings

Operational Planning

The VCF's FSP was consistent with FRPA requirements and relevant legal objectives. Other than the road site plans, the VCF's site plans were consistent with the FSP, and the VCF completed all applicable site assessments.

The VCF addressed site-specific resources in the site plans by accurately identifying resources and prescribing practices, consistent with FSP results and strategies. In some cases, the VCF went above baseline requirements in its FSP to manage cultural values and wildlife (for example, retaining birch at the request of Simpcw First Nation and using partial cutting). Resource features included streams and lakes, wildlife habitat, recreation areas and visual quality objectives.

Aside from the finding described in the *Areas Requiring Improvement* section of this report, auditors had no concerns with operational planning.

Timber Harvesting

Sampled cutblocks were harvested using a mix of cable and conventional methods, as well as several partial cuts, including commercial thinning.

In general, auditors found that harvesting was conducted in accordance with the legislation, consistent with FSP requirements and the prescribed measures in the site plans to address riparian, wildlife and recreation values.

Other than the finding described in the *Findings of Significance* section of this report, auditors had no concerns with the timber harvesting activities carried out by the VCF.

Road and Major Structure Construction, Maintenance and Deactivation

Aside from the findings described in the *Findings of Significance* section of this report, auditors had no concerns with the road or major structure work carried out by the licensee. Culverts were functional, and natural drainage patterns were maintained.

Wildfire Protection

The VCF completed fire hazard assessments, which met the required content requirements, and abated fire hazards within the prescribed time frame.

Aside from the findings described in the *Findings of Significance* section of this report, auditors had no concerns with fire hazard assessment, abatement, and protection activities carried out by the licensee.

Silviculture Activities and Obligations

Generally, the licensee's silviculture program was well run with planting and brushing activities and annual reporting, aside from harvest reporting, completed in a timely and effective manner. Regeneration and free-growing obligations were met and the VCF conformed with the chief forester's seed transfer guidelines.

Planting was conducted in a timely manner using ecologically suitable species specified in the VCF's stocking standards. Plantations were generally of good health form and vigour. Competing brush was actively monitored and manually treated where it impeded stand development. All brushed areas were treated as planned, conifers were effectively released and no damage to crop trees was observed.

Audit Opinion

In my opinion, except for the issues described below, the operational planning, timber harvesting, road and major structure construction, maintenance and deactivation, silviculture and fire protection activities carried out by the Valemount Community Forest Company Ltd. between July 1, 2021, and July 28, 2023, complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act* and related regulations, as of July 2023.

In reference to compliance, the term 'in all significant respects' recognizes that there may be minor instances of non-compliance that either may not be detected by the audit or that are detected but not considered worthy of inclusion in the audit report.

Without further qualifying my opinion, I draw attention to the *Bridge Maintenance* and *Bridge Construction* sections of the report, which describe two significant non-compliances related to bridge safety and documentation; the *Fire Hazard Assessment and Abatement* section of the report, which describes a significant non-compliance related to hazard assessment and abatement practices; the *Fire Protection* section of the report, which describes a significant non-compliance related to fire suppression systems; the *Harvest Reporting* section of the report, which describes a significant non-compliance related to annual reporting; the *Wildlife Tree Retention Areas* section of the report, which describes an area requiring improvement related to cutblock reserves; and the *Site Plans for Roads* section of the report, which describes an area requiring improvement related to the site plan requirements for road construction.

The *Audit Approach and Scope* and the *Planning and Practices Examined* sections of this report describe the basis of the audit work performed in reaching the above conclusion. The audit was conducted in accordance with the auditing standards of the Forest Practices Board, including adherence to the auditor independence standards and the ethical requirements, which are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour. Such an audit includes examining sufficient forest planning and practices to support an overall evaluation of compliance with the *Forest and Range Practices Act* and the *Wildfire Act*.



Daryl Spencer, RPF
Auditor of Record

Kelowna, British Columbia
November 19, 2024

Appendix 1:

Forest Practices Board Compliance Audit Process

Background

The Forest Practices Board conducts periodic audits of government and licensees to determine compliance with Parts 2 to 5 of the *Forest and Range Practices Act* (FRPA), and Parts 1 and 2 of the *Wildfire Act*, and associated regulations and standards.

Selection of Auditees

The number, type and scope of audits to be conducted each year are established by the Director of Audits in accordance with the Board's strategic priorities and budget. Once a licence has been audited, it is removed from the audit selection pool for five years.

The Board randomly selects districts or timber supply areas (TSAs) from each of the three natural resource areas of BC (North, South and Coast). The auditors then review the forest resources, geographic features, activities, and operating conditions in the district or TSA selected, as well as past Board audits in that district or TSA. These factors are considered with the Board's operational and strategic priorities, and the type of audit is determined. At this stage, the Board chooses the auditee(s) that best suits the selected risk and priorities. This is considered a qualified random approach of selection.

In addition, each year, the Board randomly selects at least 1 of the 31 BCTS field units for audit.

Audit Standards

Audits are conducted in accordance with auditing standards developed by the Board and described in the *Board's Compliance Audit Reference Manual*. The standards are based on Canadian generally accepted auditing standards and relevant ethical requirements. This includes those pertaining to independence, as published by the Chartered Professional Accountants of Canada, and consistent with the *Canadian Standards on Assurance Engagements* (CSAE) 3001, the *Conformity assessment – Requirements for bodies providing audit and certification of management systems* (ISO 17021-1:2011), and the *CPA Code of Professional Conduct* (CPABC Code – June 2015).

Audit Process

Conducting the Audit

Once the Board selects a licence or BCTS field unit for audit, the next step is to determine the scope of the audit (timeframe, activities). For the timeframe, the Board normally examines activities that took place over a one or two-year time period up to the start of the audit fieldwork (i.e., looking back two years). This is referred to as the audit period.

For a full-scope compliance audit, all activities carried out during the audit period are identified, which may include harvest, silviculture, fire protection and road-related activities. These activities form the population.

From the population, the auditors select a sample of each activity to examine in the field. Generally, auditors will concentrate on sampling where the risk of impacts to forest resources is deemed to be high. This is called the *inherent risk*. It can be a function of site conditions, natural circumstances, and the particular forest or range practices involved. Proportionally, more sampling occurs where the inherent risk is high because the higher the risk, the higher the likelihood of significant non-compliance or failure to achieve specified results.

For smaller audits, the sample may include the full population. Auditors also consider factors such as geographic distribution and values potentially affected by activities to ensure an adequate sample size. Auditors' work includes interviewing licensee staff, reviewing the auditee's applicable plans, and reviewing applicable legal orders, observations, inspections and assessments in the field.

Evaluating the Results

The Board recognizes that compliance with the requirements of FRPA and the *Wildfire Act* is more a matter of degree than absolute adherence. Determining compliance and assessing the significance of non-compliance requires the exercise of professional judgment within the direction provided by the Board.

The audit team, composed of professionals and technical experts, first determines whether forest practices comply with legal requirements. For those practices considered to not be in compliance, the audit team then evaluates the significance of the non-compliance based on a number of criteria, including the magnitude of the event, the frequency of its occurrence and the severity of the consequences.

Auditors categorize their findings into the following levels of compliance:

Compliance – where the auditor finds that practices meet FRPA and *Wildfire Act* requirements.

Unsound Practice – where the auditor identifies a practice that complies with FRPA or the *Wildfire Act* but may adversely affect a forest resource.

Areas Requiring Improvement (Not significant non-compliance) – where the auditor, upon reaching a non-compliance conclusion, determines that one or more non-compliance event(s) is not significant and not generally worthy of reporting. In certain circumstances, these events may be reported as an area requiring improvement.

Significant non-compliance – where the auditor determines a non-compliance event(s) or condition(s) is, or has the potential to be, significant and is considered worthy of reporting.

Significant breach – where the auditor finds that significant harm has occurred, or is beginning to occur, to persons or the environment as a result of one or more non-compliance events.

If an auditor identifies a probable significant breach of the legislation, the auditor is required by the *Forest Practices Board Regulation* to immediately advise the Board, the party being audited, and the responsible minister(s).

Reporting

Based on the above evaluation, the auditor then prepares a draft audit report. The auditor provides the party being audited with a copy of the draft report for review and comment before it is submitted to the Board.

The Board reviews the draft report and may make recommendations and/or provide commentary on the audit findings. The Board must, prior to publishing a report or recommendation, consider whether or not it may adversely affect a party or person. The Board must give any affected party or person the opportunity to review, rebut or clarify the information before the Board publishes its report. The final report is released to the auditee first and then to the public and government seven days later.

ENDNOTES

ⁱ Major structure includes bridges and major culverts.

- Bridge means a temporary or permanent crossing structure with a span length equal to or greater than 6 metres or an abutment height of 4 metres or greater.
- Major culvert has a pipe diameter of 2 metres or greater or is a pipe or open bottom arch with a span greater than 2.13 metres.

ⁱⁱ A forest stewardship plan (FSP) is a key planning element in the FRPA framework and the only plan subject to public review and comment and government approval. In its FSP, BCTS is required to identify results and/or strategies consistent with government objectives for values such as water, wildlife and soils. These results and strategies must be measurable and once approved are subject to government enforcement. FSPs identify areas within which road construction and harvesting will occur but are not required to show the specific locations of future roads and cutblocks. FSPs can have a term of up to five years.

ⁱⁱⁱ *Forest Planning and Practices Regulation- Part 5 Roads*

Section 75

A person who maintains a road must do one or more of the following if a structural defect or deficiency occurs on a bridge that is part of that road:

- (a) correct the defect or deficiency to the extent necessary to protect
 - (i) industrial users of the bridge, and
 - (ii) downstream property, improvements or forest resources that could be affected if the bridge fails;
- (b) close, remove or replace the bridge;
- (c) restrict traffic loads to a safe level;
- (d) place a sign, on each bridge approach, stating the maximum load capacity of the bridge

^{iv} *Section 72*

A person who constructs or maintains a road must ensure that the road and the bridges, culverts, fords and other structures associated with the road are structurally sound and safe for use by industrial users.

^v *Section 77 (1)*

A person who builds a bridge or major culvert for the purpose of constructing or maintaining a road must do all of the following:

- (a) prepare or obtain
 - (i) pile driving records,
 - (ii) for new materials used to build the bridge or major culvert, mill test certificates, in-plant steel fabrication drawings, and concrete test results,
 - (iii) soil compaction results, and
 - (iv) other relevant field and construction data;
- (b) prepare as-built drawings of the bridge or major culvert;
- (c) retain the information referred to in paragraphs (a) and (b) until the earlier of the date that
 - (i) the bridge or major culvert is removed, and
 - (ii) the person is no longer required to maintain the road.

^{vi} *Wildfire Act*

Section 7 (1)

In prescribed circumstances and at prescribed intervals, a person carrying out an industrial activity or a prescribed activity on forest land or grass land or within 1 km of forest land or grass land must conduct fire hazard assessments.

^{vii} *Wildfire Regulations*

Section 11 (1)

For the purposes of section 7 of the Act,

- (a) each of the following is a prescribed activity under subsections (1) and (2) of that section:
 - (i) operating a waste disposal site;
 - (ii) operating a dry land sort;
 - (iii) operating a camp associated with an industrial activity, and
- (b) each of the following is a prescribed circumstance under subsection (1) of that section:
 - (i) an industrial activity or an activity prescribed under paragraph (a) of subsection (1) creates or increases a fire hazard or is likely to do so;
 - (ii) an official notifies a person carrying out an industrial activity or an activity prescribed under paragraph (a) of subsection (1) that a fire hazard exists at the site of the activity or operation.

(2) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are

- (a) 3 month intervals during the period in which the persons are carrying on the industrial activity or the prescribed activity in an area inside, or within 2 km of, the boundaries of
 - (i) a local government under paragraphs (d) to (f) of the definition of "local government" in section 1 of the Act, or
 - (ii) a fire protection district in a regional district, and
- (b) the shorter interval between the most recent 3 month interval and the date on which the activity ceases for an expected period of 3 months or more.

(3) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are

- (a) 6 month intervals during the period during which the persons, in any area other than the area described in subsection (2), are carrying on the industrial activity or the prescribed activity, and
- (b) the shorter interval between the most recent 6 month interval and the date on which the activity ceases for an expected period of 6 months or more

^{viii} *Section 22 (1)*

The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a category 3 open fire in or within 1 km of forest land or grass land are as follows:

- (a) the person is not prohibited from doing so under another enactment;
- (b) to do so is safe and is likely to continue to be safe;
- (c) the person obtains a burn registration number for the fire
 - (i) by
 - (A) calling the telephone number made known by the government for that purpose, or
 - (B) contacting an official by other means, and
 - (ii) by providing the information referred to in section 24 of this regulation;
- (d) the person takes all necessary precautions to ensure the fire is contained within the fuel break;
- (e) the person establishes a fuel break around
 - (i) the cutblock, in the case of a qualified holder using a category 3 open fire for hazard abatement in a cutblock, and
 - (ii) each pile, windrow or grass or stubble area, in all other cases;

^{ix} Section 6 (2)

A person who carries out a high risk activity on or within 300 m of forest land or grass land on or after March 1 and before November 1, unless the area is snow covered, must determine the Fire Danger Class for the location of the activity

- (a) by reference to representative weather data for the area,
- (b) by reference to
 - (i) the Danger Region from Schedule 1,
 - (ii) the applicable numerical rating under the Buildup Index, and
 - (iii) the applicable numerical rating under the Fire Weather Index, and
- (c) by cross-referencing the Buildup Index with the Fire Weather Index, for the applicable Danger Region, under Schedule 2.

^x (3) If there is a risk of a fire starting or spreading, a person carrying out a high risk activity on or within 300 m of forest land or grass land must

- (a) do so in accordance with the applicable restriction and duration set out in Schedule 3 for the Fire Danger Class, and
- (b) keep at the activity site
 - (i) fire fighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool, and
 - (ii) an adequate fire suppression system.

^{xi} *Forest Planning and Practices Regulation*

Section 86 (1) In this section and in section 86.1:

"location" means the approximate location;

"reporting period", in respect of the year in which the report referred to in subsections (2) to (5) is to be furnished, means the 12 month period beginning on April 1 of the immediately preceding calendar year.

(3) Before June 1 of each year, an agreement holder must report to the minister

- (a) for each area in which timber harvesting was completed during the reporting period and to which section 29 of the Act applies or to which section 44 (4) of this regulation applies, the following information:
 - (i) the area in which the harvesting occurred;
 - (ii) the amount of area that was harvested;
 - (iii) an update of the forest cover inventory;
 - (iv) the location and approximate size of all associated wildlife tree retention areas,

^{xii} "harvest", in relation to timber, means to fell or remove timber, other than under a silviculture treatment, including to

- (a) yard, deck or load timber,
- (b) process timber on site,
- (c) pile or dispose of logging debris,
- (d) construct excavated or bladed trails or other logging trails,
- (e) rehabilitate an area referred to in section 35, and
- (f) carry out sanitation treatments associated with operations referred to in paragraphs (a) to (e);

^{xiii} Section 66 (1)

If an agreement holder completes harvesting in one or more cutblocks during any 12 month period beginning on April 1 of any calendar year, the holder must ensure that, at the end of that 12 month period, the total area covered by wildlife tree retention areas that relate to the cutblocks is a minimum of 7% of the total area of the cutblocks.

(2) An agreement holder who harvests timber in a cutblock must ensure that, at the completion of harvesting, the total amount of wildlife tree retention areas that relates to the cutblock is a minimum of 3.5% of the cutblock.

(3) For the purposes of subsection (1) and (2), a wildlife tree retention area may relate to more than one cutblock if all of the cutblocks that relate to the wildlife tree retention area collectively meet the applicable requirements of this section.

(4) A fibre recovery tenure holder is exempt from this section.

^{xiv} Section 10 (1) Except in prescribed circumstances, the holder of a forest stewardship plan must prepare a site plan in accordance with prescribed requirements for any

- (a) cutblock before the start of timber harvesting on the cutblock, and
- (b) road before the start of timber harvesting related to the road's construction.



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