

# TERMS OF REFERENCE FOR A SPECIAL INVESTIGATION

## Planted, Then Burned: Are Licensees Meeting Reforestation Obligations After Wildfire?

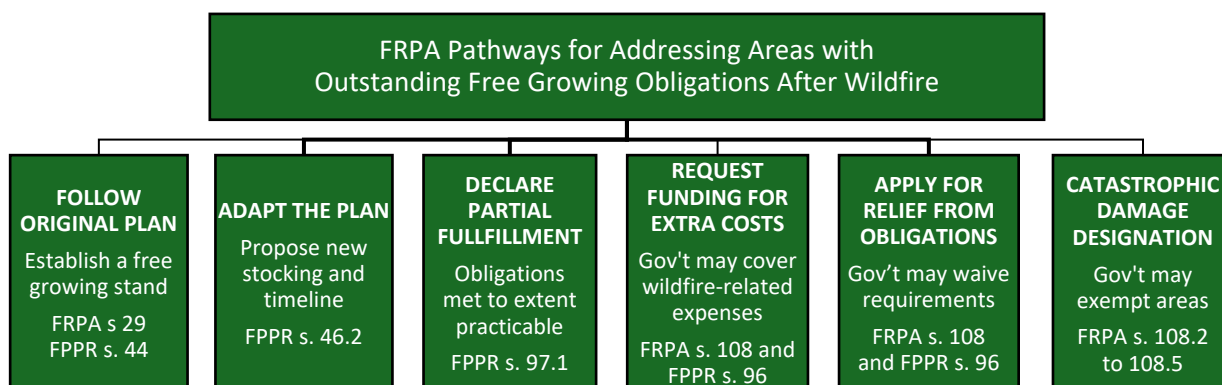
### BACKGROUND

Between 2017 and 2023, wildfires burned approximately 600 000 hectares of cutblocks where licensees remain obligated to establish a free-growing stand. About 337 000 hectares sustained moderate to high burn severity.

Post-wildfire management in managed forests may involve natural recovery or active silviculture, such as replanting, to accelerate regeneration and shape future forest composition. Ensuring these obligations are met is vital for the public interest, as failure can negatively affect future timber supplies, lead to increased soil erosion and hydrological issues, delay the recovery of wildlife habitat, reduce the forest's ability to capture and store carbon, and undermine public trust. Licensees must assess wildfire impacts on young stands and, where necessary, update silviculture plans. Selecting ecologically suitable species is essential to support recovery, meet legal obligations, and build long-term resilience in the face of increasing drought and ecosystem stress.

The *Forest and Range Practices Act* (FRPA) provides several pathways for addressing wildfire-impacted stands (Figure 1). These range from continuing with existing plans if damage is minimal, to adapting silviculture strategies, or requesting relief from the free-growing obligation. Relief may be granted under provisions such as section 108, where wildfires result in significant additional costs, or when licensees have fulfilled their obligations to the extent reasonably possible. Government may also designate areas as catastrophically damaged, allowing further flexibility.

Licensees with wildfire-affected obligations must follow an appropriate FRPA pathway. Monitoring how licensees assess damage, carry out and report treatment activities, apply for funding, or request relief is essential to ensuring accountability and maintaining public trust in sustainable forest management.



**Figure 1.** FRPA pathways for addressing outstanding *free-growing* obligations after wildfire.

In this report, the Board will gain an understanding of the status of regenerating forests that have subsequently burned. This is important for evaluating how effectively licensees are meeting their reforestation obligations and re-establishing resilient forests. They are legally obligated to re-establish healthy, free-growing stands now and into the future, even after wildfire impacts (see section 26 of the *Forest Planning and Practices Regulation* (FPPR)).

## OBJECTIVE

Assess licensees' compliance with legal requirements for planted, then burned cutblocks, still subject to free-growing obligations.

## SCOPE

The sampling includes regenerated cutblocks subject to silviculture obligations and impacted by wildfires from 2017 to 2023 before achieving free-growing status, in the 100 Mile House, Nadina, and the Rocky Mountain natural resource districts. During this period, wildfires affected 132 000 hectares across 3 300 cutblocks for which licensees hold free-growing obligations.

## APPROACH

In this special investigation, we will determine whether licensees are meeting their reforestation obligations. The focus is on previously planted cutblocks that were later affected by wildfires.

The Board seeks to understand the extent to which licensees have assessed these areas and which FRPA pathways they have chosen in response. Specifically, we will examine:

1. Whether licensees are taking steps to meet their obligations under section 29 of FRPA and section 44 of the FPPR to establish a free-growing stand on cutblocks that were declared regenerated but subsequently burned.
2. Whether licensees who selected FRPA pathways other than business-as-usual to address wildfire-affected cutblocks with free growing obligations complied with the legal requirements specific to those pathways.
3. Whether climate change and long-term forest resilience are incorporated into licensees' silviculture decisions when re-establishing forests after wildfire.

We will use RESULTS data and BCWS wildfire mapping to identify affected cutblocks, and then select a representative sample for detailed review.

We will assess whether post-wildfire surveys and silviculture activities—such as planting or site preparation—have been conducted on a sample of affected cutblocks, and whether these were warranted. Where such activities have occurred, we will evaluate their timing and appropriateness. We will also review evidence of any licensee requests for regulatory relief or funding under FRPA in response to wildfire impacts.

## REPORTING

Under section 122 of FRPA, the Board will publicly report the findings of this special investigation. The Board may also make recommendations to government regarding data management, legislation, monitoring, or policy and procedures about managing free-growing obligations on public forest land following wildfire.