

## Chapter 23: BCTS Access Use Activities and Administration of Road Permits, Road Use Permits.

### INTRODUCTION

The framework for ensuring safety on forest roads is a topic that we can expect to evolve over time as dialogue between industries, Worksafe BC, Ministry of Forests and Range (MFR) and various agencies progresses. This discussion will be influenced by changes in the use of these roads associated with various factors including volume uplifts, the number of tenures on the land base, and changes in non forest industrial and recreational users on forest roads. Our goal is to reduce the incidents compromising worker safety involving vehicles, road use, road design and maintenance. In addition, under the Forest and Range Practices Act, there has been a move to less prescriptive and more results based road design and maintenance standards which may not be well understood by the industry and public. Work continues with the MFR, Worksafe BC, BC Forest Safety Council and the forest industry sector in BC to establish improved processes for safety on forest roads in BC. This chapter will be updated to reflect these processes as they gain acceptance and approval.

In order to support the forest industry including BCTS, MFR District Managers and Timber Sales Managers administer an extensive network of industrial forest roads and other infrastructure. BCTS does not function as a licensee in this regard; it parallels authorities of MFR with respect to Road Permit issuance but only in support of Timber Sale Licences. BCTS has no authority to authorize use of Forest Service Roads (FSR's) directly. BCTS may construct roads but once construction is complete they become FSR's under the administrative authority of the District Manager. The discussion in this chapter is intended to provide BCTS staff with current guidance on addressing road safety and related subjects such as road ownership, road use, and maintenance responsibilities.

When dealing with roads BCTS staff need to be familiar with key legislation and policy including;

- *Forest Act*
- *Forest and Range Practices Act (FRPA)*,
- *Forest Practice and Planning Regulation (FPPR)*,
- *Forest Service Road Use Regulation*
- Division 3 Section 115-124 of the *Workers Compensation Act (WCA)*,
- Parts 3,4,8,18,21, 26 of the Occupational Health and Safety Regulation and, related WSBC policy and guidelines
- the MFR Provincial Engineering Manual.

BCTS staff must understand their roles and responsibilities in respect of the access to our operations, and forest road that BCTS uses or causes to be used.

BCTS staff must ensure that all licencees and contractors are aware of the required authorizations or agreements to use roads relative to their circumstances. It is preferred if this information can be communicated as part of the tender. In addition these matters should be reviewed as part of pre-work meetings to ensure clients are aware of their responsibilities. Should it be apparent or suspected that necessary approvals are not in place the matter should be referred to MFR compliance and enforcement for further investigation as these matters are outside the authority of BCTS. In addition BCTS may need to respond to the circumstance as a known hazard and pass information on to various clients that may be affected by said unauthorized use.

As described in Chapter 18 of this manual, timber sale holders are defined as “owners”. This definition also applies to road use permit holders, road permit holders, and holders of authority to occupy Crown land for log dumps, dry land sorts or other forest uses. These entities are not BCTS contractors and it is not BCTS work they are doing. BCTS staff should refer back to Chapter 18 of the Safety Manual to review BCTS responsibilities for planning and administration of these permits. (Similar to timber sale licences.)

## **SAFETY PLANNING AND USE MANAGEMENT**

### ***Road Use General Principals and Role of MFR***

Workers Compensation Act section 118 and 119 articulate owner responsibilities as well as Regulation 26 relative to forest roads. The extent and applicability of these sections to various owners and employers is an ongoing matter of legal debate which centers on the knowledge and control of these various parties in regard to road use. The inability of any one party including the MFR or BCTS to fully control the road use activities associated with forest roads makes the application of these sections and the principals of ownership complex. It is however the current position of the Ministry of Forests and Range that the safety elements associated with sections 118 and 119 are likely to have positive impact on forest worker safety. As a concerned public agency MFR and BCTS are prepared to facilitate or participate with the various potential owners or stakeholders regarding the discharge of some of these expectations. The expectations of the MFR are based in the sections 118 and 119 of the WCA even though legitimate debate remains about the application of owner responsibilities relative to road use scenarios.

WorksafeBC may view resource roads as potential multi employer workplaces once more than one employer is routinely using these roads. Section 119 of the WCA requires an owner to provide and maintain a workplace in a safe manner; and provide employer(s) at the workplace any known information relevant to health and safety hazards. Section 118 requires an owner (or Prime Contractor) of a multi-employer workplace to ensure that activities related to health and safety, at the workplace are coordinated; and establish a system to ensure compliance with health and safety requirements. WSBC may view the MFR and

other tenure holders as an owner of the forest road system with responsibilities under sections 119 and 118.

The escalating responsibility of 118 to the owner in the WCA has served well in most applications for industrial worksites. The application of this model to the tenure/permit environment of the forest road system creates challenges. Neither the MFR nor any industrial user has a similar level of control to that which can be exercised on a construction site or other industrial worksite. Furthermore, it would be difficult to establish a prime contractor relationship among the various unrelated industrial users on the road system given that lack of contractual relationship between or with any common party. Open public use further complicates the situation.

The MFR has recognized these difficulties as well as the desire to provide for an enhanced safety circumstance for workers and public using resource roads. Due to the lack of contractual relationship MFR will not generally establish prime contractors relative to multi owner/employer use scenarios on resource roads. MFR will actively participate in a cooperative effort with industrial road users, WSBC and, where appropriate, other agencies to address elements of coordination, maintenance, hazard management and generally communicate with road owners and employers so that they are able to be compliant with WorksafeBC expectations. The MFR and other owners would be unable to fully meet the duties of an owner without the cooperation of all potential owners including BCTS.

The WCA acknowledges that more than one owner can exist but not more than one prime contractor. If no prime contractor is established then the responsibilities of the prime contractor default to the owner(s). Worksafe will generally apply this back to the owner that they feel has the most knowledge and control relative to the circumstances. Current interpretation and application by WSBC considers some industrial road users such as licence and permit holders to be additional owners with a shared responsibility for the duties of an owner. These parties responsibilities are also defined by their knowledge and control.

MFR control can be restricted by statutory limits and the duty of the crown. While its knowledge is limited to what is reasonable and appropriate for it to know and track under the given circumstances, failing to be diligent in seeking information is not a legitimate limitation on knowledge. In addition, it is not likely that any restriction exists on the crown relative to communication of information when the objective is to ensure a safer circumstance and said communication is not limited under the Freedom of Information and Protection of Privacy Act. Similarly, road use permit holders and road permit holders may have limitations to their knowledge and control. It is the party with the most knowledge and control that generally is held responsible which may vary by circumstance; in some cases this is the primary industrial user, while in other cases it might be the MFR/BCTS.

Operations Division and BCTS will focus their efforts on those with whom we are providing authorization or entering into contract. In turn, for the system to work, these parties must focus their efforts on those parties they engage. BCTS is neither a licensee nor the authorizing party on FSR's but may still have both of these responsibilities in communication depending on circumstance. Through collective effort, the various parties involved could demonstrate reasonable diligence in providing use coordination and hazard management, while no single party would be in a position to do so. In the event cooperation is not apparent or forthcoming, WSBC could be engaged to explore appropriate enforcement options that may assist in generating the necessary cooperation. It is expected that this will be an unusual circumstance as safety is in the interest of all parties. Instrumental in maintaining this engagement will be establishing protocols that have the support and buy in of all owners and are practical, feasible and simple to communicate and understand. Inclusion of these parties in the process is necessary to achieve these ends.

In practical application, hazard management, coordination of use, road maintenance and facilitating the various employers' ability to be compliant are the objectives to be achieved through MFR facilitation when necessary. This facilitation may take various forms, some of which are already in place – through participation on road safety or road user committees (RSC); through discussion and action within district steering committees or simply through one-to-one discussion and agreements with stakeholders. MFR/BCTS will engage in a cooperative fashion with various owners or other employers to ensure clear understanding with respect to these elements but will be guided to the degree of this engagement by virtue of our circumstance as a crown agency and our road administration framework. WorksafeBC has provided guidance that their expectations would be addressed by the owners collectively ensuring the following is in place:

- Risk assessments completed to identify road users and hazards, informing other users and updating or adjusting safety procedures as necessary.
- A plan for safe road use by all workers using the road.
- A road maintenance program appropriate to the road and traffic levels.
- An effective traffic control system (i.e. signage, scheduling and/or radio control) that is monitored for compliance and effectiveness and actions taken to address identified issues.
- Documentation to demonstrate the above.

In addition to the facilitation processes outlined above, MFR may also use existing industry protocols and BCTS control documents associated with this chapter. These tools may be deployed in conjunction with each other or stand alone as circumstances dictate providing the objectives of coordination, hazard management and maintenance are being met in a manner that facilitates the various owner/employers ability to be compliant.

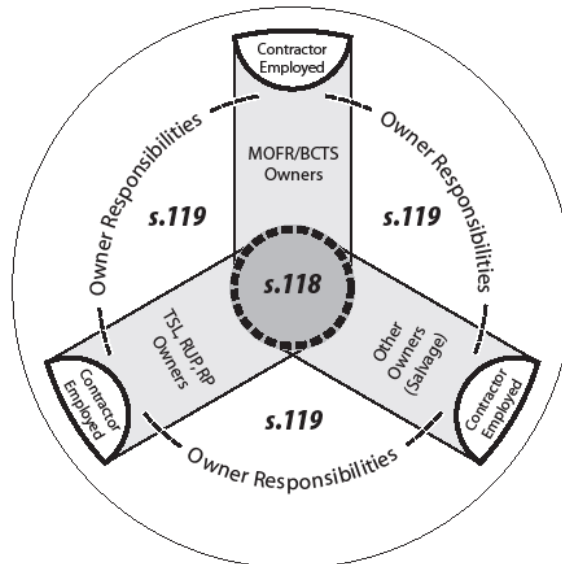
A variety of informal and loosely documented mechanisms have been used to address these aspects of road safety management in the past. By working together to more effectively meet these responsibilities, all parties involved should be able to demonstrate diligence and compliance with the WCA. More formally governed and documented RSC's or similar systems may be useful to address complex use scenarios or to provide consistency across large geographic area. BCTS should actively participate in such initiatives to facilitate information transfer but will not generally engage as the party representing the interests of Timber Sale licensees but rather the program on whole. Timber Sale licensees should be represented through some other means however the interests of our customers maybe germane to the representation of the program on whole. While participating in these groups, or less formal dialogue intended to meet the same ends, BCTS will have many interests which will include our employees, contractors and to some extent customers and the public, such is the nature of a crown agency. These and similar cooperative mechanisms involving all parties should be able to improve the safety outcome for all road users.

In general terms and as specified through various agreements and policies BCTS should not be engaged to facilitate coordination of FSR's as the District Manager is the party who authorizes their use. BCTS must, however, be an active participant in any established District facilitation mechanism in order to diligently address our safety initiatives. This participation will relate in differing ways to our licences (sharing information) or contracts (sharing information and addressing expectations) and staff (sharing information, training and monitoring). This will include participation in protocol development that ensures the interests of BCTS are addressed, as well as facilitating communications of the protocols to parties we may cause to use the roads through tenure or contract arrangements.

In certain instances, BCTS may need to facilitate on behalf of MFR to ensure coordination among the owners. These would most likely be situations where the TSM has issued a road permit and then causes other users to be on the same road via tenure and or contracts. In addition these situations would also not otherwise be addressed under RSC initiatives. The tenures and contractors involved as well as the level of information about the road network will determine the complexity associated with this effort. Complex scenarios' should be the exception rather than the norm for BCTS as explained further in this chapter.

The following diagram summarizes the relationships between all parties involved and demonstrates the complexity of the relationships in road use safety management and relative to the WCA.

Figure 1: Road Use expectations in Regards to Sections 118 and 119 of the WCA (Sn 118 requires coordination since no one owner has sufficient knowledge or control - denoted by the overlap)



### ***BCTS Access Planning***

BCTS undertakes forest development planning as part of its routine business in order to be diligent in the discharge of our safety responsibilities this must include reflection on the expected or intended access route associated with its various initiatives. These projects may include works that we are planning to undertake (such as forest management via our own staff or under contract) or tenures that we intend to offer or sell. The nature, duration and risk of the project will dictate the degree of access planning assessment that is warranted; however, in all cases some reflection on access planning specific to safety is necessary to be appropriately diligent. When significant (requiring the transport of crews over several days or specialized equipment and or extraction of timber resources), contract works or tenures are contemplated a documented review/assessment of access route(s) is prudent.

This manual provides a number of checklists which may be applicable under various circumstances to assist in this assessment. In all cases these assessments must begin by defining the access route, starting at point of project (POP) or worksite of the project through to the point where the access corridor

converges with a significant public highway system (well travelled and routinely maintained and policed). This access corridor may include public and private road as the safety concerns do not terminate at administrative boundaries and extend to the whole of the works being undertaken which includes the access to and from the project site. The administrative nature of the road will affect the mitigation strategy but does not preclude the need for assessment. It is important to ensure other owners and employers we engage understand the nature and degree of the assessment so they might reflect upon it's application to their specific methods. These parties must undertake their own assessment as well relative to their specific needs and equipment. In some circumstances more than one access corridor may be evaluated where this is practical and reasonable to undertake however in most instances the focus should be on the most expected route. Once the route or routes that will be assessed are defined, a number of factors need to be considered and contemplated including but not restricted to:

- Nature of use and vehicle configurations to the extent these are understood at the time of planning the project
- The intensity of use and expected changes in intensity during the period of use
- The expected season of use
- Expected other use including other industry (identify same and contact them for additional information and to ensure they are aware of our intentions)
- Expected public use by season and nature of said use (consider historic norms and points of interest for the public as well as known key events)
- Status of existing infrastructure including engineered structures load ratings, road surface and prism including cut banks and right of way clearing.
- Status and accuracy of signage
- Current use protocols if any such as, radio protocols, and other traffic control systems
- Emergency response protocols
- Design and construction is it commensurate with intended use (consider age of infrastructure)
- Existing and expected authorizations and maintenance responsibilities ( consider other administrative implication such as road use agreement and statutory rights of way)
- Natural hazard sites such as avalanche or talus slopes unstable terrain or where water courses may pose risk to road stability or use.

The above considerations must be for the entire access corridor whether roads are existing or not and is not limited to FSR's. In the case of FSR's or routinely used Road Permit roads much of the information should be readily available through operations division or the road permit holder. It is possible that no field activity may be necessary to complete the assessment. Assessments should

start at a high level gathering information and sharing intended use information with existing parties to determine potential risk associated with plans. This approach will identify what is known about the access network and where less information is available or identify points of concern along the access network. This approach will help inform and focus field and or further information gathering efforts to address those areas where little is known. The objective is to identify hazards, the feasibility of the project and inform mitigation strategies relative to the expected access network verses developing intensive or detailed assessment of each and every lineal meter of the network. Much of the necessary information for routinely used roads could likely be gathered via conversation with other users that reflect on our intended use.

The ability of BCTS to mitigate the hazards will vary depending on where such hazards are found and the administrative nature of that road or corridor. The intended purpose of the assessment is to identify any potentially hazardous conditions or circumstances that may arise out of the intended use. There may also be a need to mitigate issues arising from the assessment through direct action by BCTS or via authorized or expected action by tenure holders or contractors. Gathering and acting on or developing strategies to act upon this information facilitates the discharge of some expectations.. Specifically there is a responsibility for providing and maintaining the lands in a manner which ensures safety as well as ability to pass on information known to eliminate or control hazards. This information is also part of the overall feasibility assessment of the project as all projects must be planned to be safe and will benefit BCTS on a safety initiative level as well as business level.

Information gained through this assessment will determine BCTS mitigation activities such as reconstruction of access infrastructure as well as facilitate informed bidding and pre work sessions to pass on knowledge of potential hazards. When passing on information to subsequent owners or contractors it is important they understand the parameters of the BCTS assessment. In addition, all subsequent owners and contractors should undertake their own assessment reflecting on the information provided by BCTS as well as the knowledge they have of their own intended methods.

### ***BCTS Project Implementation (Safe Road Use Plans)***

The entire access corridor, from point of project (POP) through to maintained and policed public highway) needs to be coordinated and clear protocols for use, hazard identification and maintenance need to be understood by all users.. For new roads, in most instances, BCTS establishes the road as a FSR and then builds the road under contract (which is addressed under Chapter 19-21 of the Safety Manual). Once a road is a FSR, subsequent approvals for industrial use are undertaken by the District Manager within Operations Division. Under these circumstances the responsibility to facilitate road coordination rests with the District Manager.

In some instances BCTS issues Road Permits where FSR's are not established and in a number of variations it may also cause other parties to be involved in the use of said road permit authorized road, such as contractors and or tenure holders. In many instances RSC's will address these roads as part of a broad geographic area. In some instances though these roads may not be addressed with appropriate use protocols and in these circumstances the TSM should engage to facilitate the establishment of Safe Road Use Plans among all the owners and employers. It is expected that most of these situations will be of less complexity than FSR situations.

Depending on the facilitation model used in the District, for FSR's, the district manager may take the lead to facilitate the discharge of use coordination. If this activity does not address the obligations fully, and BCTS has caused the use to occur under tenure or contract, then BCTS needs to bring these concerns to the attention of the District Manager, RSC and potentially other employers and owners for resolution. BCTS must participate in any process upheld by the District manager if they intend on issuing tenure, contracts or directly using the roads in question. Regardless of whether the District Manager or the Timber Sales Manager is the appropriate party to facilitate and ensure discharge of expectations the focus would be on those parties in direct relationship with MFR through permit, tenure or contract. The parties that these clients in turn authorize or bring into the mix fall under their ownership and or employer responsibilities and the protocols need to clarify this communication expectation. Once it is determined who will lead facilitation, one must identify the clients that need to be coordinated and then open dialogue with them. These clients will have expertise and knowledge of how to address the range of matters that need to be discussed. It is paramount to the success of the coordination to ensure these parties full involvement in both identifying the safety concerns and strategizing and participating in their resolution. In some instances minor use by other parties' road permit road may be fully addressed through mere communication of the road permit holders expectations where these expectations are reasonable and prudent. Factors that need to be considered in discharging the expectations include but may not be restricted to:

- Hazard identification addressing existing hazards and the intended controls as well as how to communicate and manage new hazards that may be identified.
- Limitations of bridges and other road structures and how these may vary depending on load dynamics
- Traffic control systems or devices (reference section 6 of FSR Use Regulation) including pull outs, radio protocols, signage and monitoring of behaviour
- Emergency Response including first aid and transport of injured workers and incident notification, likely addressed through cooperation and collaboration of various operators on the land base

- Communication protocols to ensure all parties remain informed of all users and new authorizations or users
- Consideration of public use and how to educate or inform these users
- Maintenance strategies and responsibilities
- Expectations and methods for further communication with other employers

Access planning can be fairly simple and is likely to be more effective if expectations and protocols are simplified as this enhances the likelihood of application and simplifies communication. Generally access management issues will be addressed by collective cooperation of the parties involved and documentation of the understandings and communication of same. It should not often lead to new systems or business activities.

## ***ADMINISTRATION of ROADS and road maintenance***

### **Forest Service Roads**

Under current legislation, the MFR and BCTS build Forest Service Roads (FSR) or may declare road permit roads or establish other existing roads on crown land as FSR where they are required to meet objectives of these agencies.

Operations Division Districts and BCTS are responsible for maintenance on FSR until:

- The MFR district manager requires a specific road use permit holder to take over some or all of the maintenance requirements.
- The road is de-activated.

Only the MFR district manager has authority to issue road use permits and require that a designated road use permit holder take on maintenance responsibilities (becomes the maintainer) to ensure the road can be used safely by industrial users.

All industrial users of forest service roads require a road use permit issued by the district manager, however, only one road use permit holder (maintainer) is designated by the district manager as having maintenance responsibilities.

A holder of a road use permit on a forest service road does not have exclusive use of the road. Other industrial and non industrial users can use the road and other industrial users are required to give notice to the maintainer and contribute to maintenance costs of the maintainer.

BCTS staff planning to sell a timber sale licence must adequately describe in the tenders any conditions for road construction, use or maintenance including;

- Requirements for the timber sale licence holder to obtain a road use permit from the appropriate district manager.

- Whether there has been a Shared Road Use Maintenance Agreement (SRUMA) established as a condition of the sale.
- Specific responsibilities relative to road maintenance and safety that may go with being the holder of a road use permit (Will the district manager require them to be the maintainer?)
- Any additional requirements for the timber sale holder if he is issued the road use permit and required to do maintenance on all or parts of the road as designated by the district manager.
- Any known hazards associated with using, modifying, or maintaining the roads expected to be under the permit
- Requirements to review this information and any other applicable information at a pre work meeting prior to commencing work on the timber sale licence.

It is clearly important and efficient to have plans reviewed and approved and specific tender requirements agreed upon with the district manager prior to tendering the timber sale licence for sale. This will include among other things:

- Known hazards on the road system or access corridor (high traffic, bridge restrictions, etc.)
- Who the maintainer will be and expectations for road maintenance.
- Number of other users on the road system.
- Any other established rules or protocols for use of the road.(see Project Implementation (Safe Road Use Plan) section of this chapter.

### **Monitoring and Enforcement of Legislated and Permit Conditions on FSRs**

The MFR district manager, issues these permits and has the responsibility of monitoring and enforcement for both statutory and permit conditions.

BCTS staff must continue to be aware of issues on the road and report any unsafe conditions or acts to the supervisor or employer responsible for the work as required in the Workers Compensation Act and OHS Regulation. BCTS should notify the district manager in cases where it is suspected that permit or legislative conditions are not being met, and may need to notify WorkSafe BC if there are minor issues on a repetitive basis (not corrected) or there are significant and urgent issues which are not dealt with.

### **BCTS Retains Responsibility for Maintenance of Forest Service Roads**

In some specific situations, BCTS may wish to retain the responsibility for maintenance. When making the decision to do this, BCTS staff and managers must deliver on the responsibility to maintain the road including ensuring the road can be safely used by industrial users.

In these cases BCTS business areas must set up their own quality control check system based on supervision and auditing. In addition, a written understanding of this circumstance should exist between the TSM and the applicable District Manager as well as all road users. Communications protocols should be understood by users so safety concerns related to maintenance can be reported and addressed in an appropriate manner.

## Road Permit Roads

Holders of forest harvesting tenures including timber sale licences, who are required to build, modify or use roads (Other than Forest Service Roads) to access timber that they have rights to harvest must obtain a road permit from either the district manager or timber sales manager before proceeding with any construction, modification or use of the road if that road is not within a cutblock. Section 79 (6) (c.) of the *FPPR* makes a person responsible to maintain the road so that the road can be safely used by industrial users.

Other industrial users of a road permit road do not need to have a road permit to use the road but must give notice to the permit holder and contribute to maintenance costs of the road. Typically a road maintenance agreement between the parties is entered into. It is not unusual for the other users to be BCTS tenure holders or contractors when this is the case BCTS needs to engage to ensure diligence with respect to planning and implementation of those projects including safe road use plans. In most instances where roads are under long standing road permits it is likely that necessary protocols have been established by the road permit holder to address safety expectations. None the less BCTS should understand these protocols and communicate them through tenders and ensure these remain understood through project implementation.

The issuance of the road permit makes the permit holder responsible for road safety in many respects however they do not have control over other parties that BCTS may cause to use the road, hence the need for BCTS engagement. BCTS level of control is also limited but it can act to communicate expectations and facilitate understanding and the development of any necessary protocols among other owners or employers. The road permit holder continues to be responsible for the road until

- The road is de-activated and road permit cancelled, or;
- The permit holder is notified not to deactivate because the road is needed by someone else and the permit is transferred to another party, or;
- The road is declared a FSR under the *Forest Act*.

The holder of a road permit does not have exclusive use of the road. Other industrial and non industrial users can use the road. It is expected that other industrial users will reach an agreement with the road permit holder to share maintenance costs.

## **Road Permit Roads - Road Permit Issuance**

Both the MFR district manager and BCTS timber sales manager can issue road permits to the holder of a timber sale licence. Prior to advertising the licence for sale it is important that agreement be reached on who will issue and administer the road permit.

BCTS staff planning the sale of the timber sale licence must adequately describe in the tenders any conditions for road use or maintenance including;

- Whether a road permit is required and if not, which road permit holder they need to contact to reach agreement on shared maintenance costs.
- Requirements for the timber sale licence holder to obtain a road permit and where they get the permit from.
- Specific responsibilities relative to road safety that go with being the holder of a road permit.
- Any known hazards with using, modifying, or doing new construction on the road under the permit.
- Requirements to review this information and any other applicable information at a pre work meeting prior to commencing work on the timber sale licence.

## **Monitoring and Enforcement of Legislated and Permit Conditions on Road Permit Roads**

The MFR district manager or the Timber Sales manager may issue these permits. Responsibility for statutory compliance and enforcement with legislation rests solely with the MFR district manager. Responsibility for monitoring and enforcing permit conditions rests with the staff of the manager who issued the permit. (District manager or TSM) The timber sales manager must notify the district manager when a permit is issued.

In either case, BCTS staff must continue to be aware of issues on the road and report any unsafe conditions or acts to the supervisor or employer responsible for the work as required in the Workers Compensation Act and OHS regulation. BCTS should notify the district manager in these cases and may need to notify WorksafeBC if there are minor issues on a repetitive basis (not corrected) or there are significant and urgent issues which are not dealt with.

## **Road Permit Road - Timber Sale Licence Holder is not Road Permit Holder**

BCTS staff must plan access to timber sales from the timber sale to a final destination or public road.

For those roads required to be used by the timber sale licence holder that are under permit to another industrial user (not forest service roads) BCTS staff must, in the tenders for the timber sale licence and at pre work conferences provide the following information;

- Identification of any known or observed hazards with the road or using the road.
- Name of the person or company who holds the road permit and information on the need to enter an agreement with that party on road use and maintenance.
- Any other information on the road which may involve safety of the workers such as applicable, use protocols, road user committees, levels of traffic, public use or other factors.

This information would be garnered from engagements previously described in the chapter. Compliance and Enforcement responsibilities on these roads are the same as for road permit roads

### **Timber Sale Holders Make Their Own Choice on Access Routes which are Different from those Identified by BCTS**

Where there are options, timber sale holders may make their own choice about which roads they may use to access the timber sale licence and haul logs from.

BCTS should identify and describe the most obvious route as discussed in the previous sections.

BCTS should also include the following general requirements when providing information to timber sale licence holders or interested bidders on road use. Interested persons or companies should be made aware that if they do not use the route described they must:

- Obtain any necessary permits or enter into agreements with permit holders for any roads they use to access the timber sale licence or haul logs from the licence.
- Identify any hazards to workers as a result of using these alternate roads.
- Identify use protocols and expectations associated with these alternate routes
- Engage with other parties on the chosen access that have ownership responsibilities to ensure a coordinated approach to the discharge of those responsibilities

### **Wilderness Roads**

A wilderness road is a level of maintenance that a person responsible for a road can adopt during periods when the road is not being used for industrial purposes.

### **BCTS Responsibilities When Dealing With Approval of Tenures for Establishing or Using Other Forest Sector Infrastructure**

BCTS or MFR may also issue approvals or permits to utilise Crown land or infrastructure on Crown land to private sector timber sale licence holders for such activities as log dumping, log sorting or log storage, waste disposal, off timber

sale log landings for helicopter drops, water sites for log storage or sorting and other uses allowed for under provincial legislation.

As with roads, it is important that BCTS communicate to the person or company who will be issued this authority or permit to occupy and use a location be advised before entering into the licence, permit or agreement of the following:

- The person or company receiving the authority (permit) will be considered the owner of the work and of the work place. These operators are not BCTS contractors or employees.
- The general requirements this person or company will have for safety, as the owner, the policy expectations for being registered with or fully certified as a SAFE company.
- Any hazards identified by BCTS in the course of planning and setting up the work or approvals.
- Any other industrial users or public users of the proposed workplace and any requirements to enter into agreements with those parties.

### **Monitoring and Enforcement of Legislated and Permit Conditions**

Responsibility for compliance and enforcement with legislation rests solely with the MFR district manager. Responsibility for monitoring and enforcing permit conditions rests with the staff of the district manager/timber sales manager who issued the permit or authority to occupy the area of Crown land.

In either case, BCTS staff must continue to be aware of issues on the area and report any unsafe conditions or acts to the supervisor or employer responsible for the work as required in the Workers Compensation Act and OHS regulation. BCTS may need to notify WorksafeBC if there are minor issues on a repetitive basis (not corrected) or there are significant and urgent issues which are not dealt with.

### ***Further Information***

Further information is available from the Engineering manual of the Ministry of Forests and Range or from the district or regional engineering officer.

### ***Local Procedures***

None

### ***Forms and Checklists***

Appendix 1Z BCTS Access Assessment Checklists 23-1  
Appendix 2Z BCTS Safe Road Use Plan Checklist 23-2