

Appendix I: Table of concerns/issues (PAC ISSUE TRACKING)

- by Topic (Note: Issue may be listed under more than one topic area)

PRACTICES ADVISORY COUNCIL COMPONENT					GOVERNMENT COMPONENT		
Ref. #	Source	Reg. Ref.	Issue / Concern	Type of Concern	Policy Team Response	Action	Recommendation
General FRPA Reg Issues:							
1.	July 3/03- Minutes Flagged Issue #9		“Localized Objectives”-Woodlot/Range Regs (C&E?)	Appropriate Reg Mechanism		Responded	
2.	Sept. 3/4 Wshop	FPPR S.6, 9, 20, 22, 33, 63, 73, and 88	Pulling the Factors into the Objectives themselves	Appropriate Reg Mechanism			
3.	Sept. 3/4 Wshop	FPPR S. 8, 19, 21, 28.1, 32, 62, 72 RPPR S. 6 WPPR S. 5	Consistency of wording of objectives for same values between regulations (Forest Planning & Practices, Range and Woodlot Regs.)	Logic / consistency		Monitor/ follow-up required	
4.	Sept. 3/4 Wshop		General unifying Goal or Objective Statement for Forest Planning & Practices Reg.	Appropriate Reg Mechanism		Responded	
5.	Sept. 17/18 Wshop	Sec. 93	Reciprocal considerations (Range Act, Woodlot Act, Land Act wrt Other Resource Users.	Logic / consistency		Responded	
6.	Sept. 17/18 Wshop		PAC Mid-Term Discussion: Future Access Management – need to address “integrated use” management planning	Appropriate Reg Mechanism		Longer term	
7.	Sept. 17/18 Wshop	All Regs	Mid-Term PAC Discussion: The appropriate and consistent role and use of Regs., Acts	Logic / consistency		Longer term	
OHS Safety Issues:							

8.	Jul 3/03 – Minutes Flagged Issue #4	FPPR S. 84-95.1, 101	OHS Safety- DDM Plan approval	Interpretation / clarity / definition	Linked to response Discussion Forum July 30 th Action #1	Responded	
9.	July 30/03- Action #2		OHS Safety wrt contractual clauses in cutting permits/road permits	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Terje Vold	Responded	
10.	Sept. 3/4 Wshop	FPPR S. 84-95, 101	Trigger needed for FSP design to ensure in compliance with OHS laws	Appropriate Reg Mechanism		Responded	
11.	Sept. 17/18 Wshop	FPPR Part 6	WCB/OHS/Union Notification Requirements wrt Safety	Appropriate Reg Mechanism		Responded	
Tree Gene Resource Issues:							
12.	July 30/03- Action #24	FPPR S. 27	Tree Gene Resource Standards	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold dated Aug 1st	Responded	
Timber / Forest Health:							
13.	Sept 3/4 Wshop	FPPR S. 19 & 21 WPPR S. 5	Objectives - lack of Timber Objective	Appropriate Reg Mechanism		Responded	
14.	Sept. 17/18 Wshop	FPPR Part 2	Timber Objective – Concern raised wrt no obj. for timber				Dup #13
15.	Sept 3/4 Wshop	FPPR S. 1	Forest Health/Timber Health - definitions required	Interpretation / clarity / definition		Monitor/ follow-up required	
Wildlife Issues:							
16.	July 30/03- Action #12	FPPR S. 29, 30, WPPR S. 35, 36 RPPR S. 28, 29	Status report on UWR and WHA legal objectives	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Rodger Stewart dated Aug 25th	Monitor/ follow-up required	
17.	Sept 3/4 Wshop	RPPR S. 28, 29	Wildlife objective - wording still not finalized	Appropriate Reg Mechanism		Responded	
18.	Sept. 3/4 Wshop	FPPR S. 28.1 (?) RPPR S.6	Generally, need to consider forage for wildlife - not just cattle	Appropriate Reg Mechanism		Responded	
19.	Sept. 17/18 Wshop	Sec. 28.1 (2)(a)	Wildlife-Issue of an Order locate under Div. 1 rather than Div. 2?	Appropriate Reg Mechanism		Responded	
Ungulate Winter Range Issues:							

20.	July 30/03- Action #11	FRPA S. 149.1 FPPR S. 30	MOU re UWR	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Terje Vold dated Aug 10th	Responded	
21.	July 30/03- Action #12	FPPR S. 29, 30, WPPR S. 35, 36 RPPR S. 28, 29	Status report on UWR and WHA legal objectives		see Discussion Forum-e-mail response from Rodger Stewart dated Aug 25th		Dup #16
Forage Issues:							
22.	Sept. ¾ Wshop	FPPR S. 28.1 (?) RPPR S. 6	Need to consider forage for wildlife – not just cattle				Dup #18
23.	Sept. 17/18 Wshop	RPPR S. 25	Forage – Objective Statement Review for clarity	Interpretation / clarity / definition		?	
Range Issues:							
24.	July 3/03- Minutes Flagged Issue #6	RPPR S. 5	Range/Who may do Stewartship Plans?	Interpretation / clarity / definition		?	
25.	July 30/03- Action #20	FRPA S. 47 RPPR S. 8 & 9 FPPR S. 93	Legislative gaps wrt invasive plants	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold dated Aug 22 nd	Monitor/ follow-up required	
26.	July 30/03- Action #23	FPPR Part 5 – Roads	Road design and cattle movement	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold dated Aug 22 nd	Longer term	
27.	Sept ¾ Wshop	FPPR – none RPPR S 6	Objectives – lack of Forage Objective (objective in Range Reg under FRPA) (reciprocal wording previously in FPCode not in FPPR)				Dup #18
28,	Sept. 17/18 Wshop		Range livestock need access paths off roads-Reg or BMPs?		PAC agreed this an important issue that should be addressed outside of regulation - in best management practices or agreement between users.		Dup #26
Invasive Plant Issues:							
29.	Sept.3/4 Wshop	FPPR S. 8-10	Soils wrt soil disturbance outside NAR linked to invasive plant introductions	Appropriate Reg Mechanism		?	
30.	Sept. 17/18 Wshop	Sec 47 FRPA Act & FPPR Sec 93	Invasive Plants-efficiencies for alternative authorities?	Logic / consistence		Responded	

Soil Issues:							
31.	July 30/03- Action #6	FPPR S. 8-10	Soil Disturbance		see Discussion Forum-e-mail from Terje Vold responses dated Aug 29 & Aug 18 th		Dup #29
32.	Sept. 3/4 Wshop	FPPR S. 8-10	Soils wrt soil disturbance outside NAR linked to invasive plant introductions		Linked to response Discussion Forum July 30 Action #6 & #20		Dup #29
33.	Sept. 3/4 Wshop	None	Revegetation: Fire Disturbed Areas (Soil wrt Range) – also (Soil wrt Timber)	n/a		Longer term	
Water Issues:							
34.	July 30/03- Action #13	FPPR S. 57	Protection of water quality in community watersheds and access management	Appropriate Reg Mechanism	see Discussion Forum-e-mail responses from Ian Miller dated Aug. 26 th and Terje Vold dated Aug 22 nd	Responded	
35.	July 30/03- Action #14	FPPR S. 50-53	Riparian	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Terje Vold dated Aug 8 th	Responded	
36.	Sept. 17/18 Wshop	FPPR S. 32	Riparian-review for clarity wrt alternative strategies				
37.	Sept 3/4 Wshop	FPPR S. 58	Watersheds – Water supply “licensed” under Act - Ground Water – re intakes and catchment areas	Logic / consistency		Responded	
38.	Sept. 17/18 Wshop	FPPR S. 32	Future PAC Discussion: Watershed Assessment Plan by Prof. Agrologist (? Hydrologist?) as alternative?	Appropriate Reg Mechanism		Longer term	
MSRM Old Growth Issues							
39.	July 30/03- Action #15	None (enabled under FRPA S. 1)	MSRM draft old growth order	Appropriate Reg Mechanism	see Discussion Forum-e-mail comment from Brian McNaughton wrt response from Terje Vold dated Aug 3rd	Responded	
40.	Sept 3/4 Wshop	None (enabled under FRPA S. 1)	MSRM Old Growth Order - no time limit /expiry date				Dup # 39
Cultural Heritage Issues							

41.	July 30/03- Action #10	FPPR S. 72, 73, 74	Cultural Heritage Conservation	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Terje Vold dated Aug 20th	Responded	
First Nation Concerns:							
42.	Sept 3/4 Wshop	FPPR S. 72, 73, 74, & 76	First Nations - Cultural Heritage Resources management – identifying location/vandalism concerns, (infringement?)				
43.	Sept 3/4 Wshop	FPPR S. 95, 102, 102, 104 RPPR S. 22 WPPR S.12	First Nations - review and comments provisions and how they relate to gov't obligation to consult				
44.	Sept 3/4 Wshop	FPPR S. 72, 73, 74	First Nations - gaps/overlaps - <i>Heritage Conservation Act</i>				Dup # 41
45.	Sept. 17/18 Wshop	FPPR S. 92	5 Day “Emergency” provision-wrt First Nation notification requirements				
Compliance & Enforcement Issues:							
46.	July 3/03- Minutes Flagged Issue #7		C&E-Explanation Request	Management philosophy		Longer term	
Notification Requirements:							
47.	Sept. 3/4 Wshop	FPPR S. 120-125	Lack of draft working.				
48.	Sept. 17/18 Wshop	FPPR Part 6	Mid-Term PAC Discussion: Notification & Reporting/data collection requirements				Dup # 47
Professional Reliance							
49.	July 30/03- Minutes Flagged Issue #8		Professional Reliance-risk & liability				
50.	Sept ¾ Wshop	FRPA S. 5, 13, 33 RPPR S. 5 WPPR S. 16	Professional reliance – lack of requirement for professional to sign off plans	Appropriate Reg Mechanism		Monitor/ follow-up required	
LRMPs/Landscape Level/Land Use Issues:							

51.	July 30/03- Action #16	FRPA S. 1, 5, 13, 33	Land Use policy objectives	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold (and inserted advice from Blake Ford) dated Aug 21st	Monitor/ follow-up required	
52.	July 30/03- Action #17	FPPR S. 21, 22 & S. 62, 63	Species mix at landscape level	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold dated Aug 22nd	Monitor/ follow-up required	
53.	Sept 3/4 Wshop	FRPA S. 1, 5, 13, 33	Lack of legal authority for LRMPs under Forest Planning and Practices Reg.				Dup # 51
Visuals:							
54.	Sept. 3/4 Wshop	FPPR S. 71	Visuals - no positive MOF obligation to establish VQOs after MSRME establishes scenic areas (& no specifications for VQOs - i.e. R, PR, M, etc.)	Appropriate Reg Mechanism		Responded	
55.	Sept 3/4 Wshop	FPPR S. 71	Lack of VQOs established for backcountry areas	Appropriate Reg Mechanism		Responded	
Site Plan Issues:							
56.	Sept. 3/4 Wshop	FPPR S. 89 & 90	FRPA Sec 16 (2.1) FSP approval - DM auth. to request more info (including site plan?)	Interpretation / clarity / definition		?	
57.	Sept 3/4 Wshop	FRPA S. 10 & 11 FPPR S. 105	Site Plans - level of detail concern	Appropriate Reg Mechanism		Responded	
Silviculture Issues:							
58.	July 30/03- Action #9	FPPR S. 21 & 22	Stocking Standards & non-timber values	Appropriate Reg Mechanism	see Discussion Forum-e-mail response from Terje Vold dated Aug 20th	Responded	
59.	July 30/03- Action #17	FPPR S. 21, 22 & S. 62, 63	Species mix at landscape level		see Discussion Forum-e-mail response from Terje Vold dated Aug 22nd		Dup # 52
60.	Sept 3/4 Wshop	FPPR S. 1	Forest Health/Timber Health - definitions required				Dup # 15
Objectives – Issues:							

61.	July 30/03- Action #16	FRPA S. 1, 5, 13, 33	Land Use policy objectives		see Discussion Forum-e-mail response from Terje Vold (and inserted advice from Blake Ford) dated Aug 21st		Dup # 51
FSP Issues:							
62.	July 30/03- Action #1	FPPR S. 84-95.1, 101	Legal Opinion re FSP approval		see Discussion Forum-e-mail advice from Blake Ford re: requirement to issue FSP contrary to law		Dup # 8
63.	July 30/03- Action #19	FPPR S. 89 & 101 RPPR S. 15	Plan approval test - balance concerns		see Discussion Forum-e-mail response from Terje Vold dated Aug 21st		
64.	Sept. 3/4 Wshop	FPPR S. 94	Cumulative Effect of FSPs (Sec. 94)	Interpretation / clarity / definition		Responded	
65.	Sept 3/4 Wshop-	FPPR S. 85 & 86	FSP detail concern - FDU "blobs" insufficient to adjudicate results and strategies	Appropriate Reg Mechanism		Responded	
66.	Sept 3/4 Wshop	FPPR S. 84, 85	FSP detail concern - re "declared areas"	Interpretation / clarity / definition		Responded	
Public Review and Comment Issues:							
67.	July 30/03- Action #18	FPPR S. 95, 102, 103, 104	Public review and comment provisions by persons "affected" by plan	Interpretation / clarity / definition	see Discussion Forum-e-mail response from Terje Vold dated Aug 21st	Responded	
68.	Sept 3/4 Wshop	FPPR S. 95, 102, 103, 104	Public review and comment – potential lack of SDM ability to consider public input at plan approval				
Section 89 Issue:							
69.	July 30/03- Action #19	FPPR S. 101 (also RPPR S. 15)	Plan approval test - balance concerns		see Discussion Forum-e-mail response from Terje Vold dated Aug 21st		
70.	Sept. 3/4 Wshop	FPPR S. 89 & 101 RPPR S. 15	Forest Planning & Practices Sec. 89 (Linked to Aug. 30th Action #19 above)				

Training Issues:							
71.	Sept. 17/18 Wshop	NA	PAC – Ongoing/Future Training needs consideration	NA		Longer term	
Woodlot Issues:							
72.	Sept. 17/18 Wshop	WPPR S. 27	Woodlot Reg. – use of “Localized Feature” legal review {GROUP}		Recognizing localized features may give credence to illegal activities and lead to designation that would not otherwise have occurred.		Dup # 1
73.	Sept. 17/18 Wshop	WPPR S. 27	Raised wrt Woodlot Reg use of “Localized Feature” and Concern Generally wrt Definitions and consistency across regulations				
Roads Issues:							
74.	Sept. 17/18 Wshop	FPPR S. 106	Roads Sec. – use of term “Industrial” – wrt evenness re safety	Interpretation / clarity / definition		Responded	
75.	Sept. 17/18 Wshop	FPPR S. 108	Culverts/Peak Flow – clarity of wording issue	Interpretation / clarity / definition			
76.	Sept. 17/18 Wshop	FPPR S. 106, 117 and others	Vicarious Liability – (review by gov’t underway)	Interpretation / clarity / definition	wrt word “user” check definition of "user" (legally, regulation will not limit liability) A road can be built to a standard acceptable for industrial use, but a licensee (or road permit holder) has little or no control over the user		
77.	Sept. 17/18 Wshop	FPPR S. 117	Roads Sec. – need for “preventative maintenance”	Interpretation / clarity / definition	T. Vold advised the Act is very clear on this point and this concern is addressed. Policy Team to review Act. PAC believes the Act is clear on this point.		
78.	Sept. 17/18 Wshop	FPPR S. 117	Tourism/Industry agreement/ protocol wrt Roads				Discuss off table