

Forest and Range Practices Advisory Council Strategic Framework

Purpose

This strategic framework provides clarity and focus to the Forest and Range Practices Advisory Council (PAC) within PAC's planning framework illustrated in Figure 1.

PAC will establish annual priorities and activities based on direction from the B.C. Minister of Forests and Range (Minister) and PAC priorities arising out of this general strategic framework. PAC's activities may result in recommendations to the Minister which in turn may result in new direction from the Minister or in re-framing PAC's priorities. This strategic framework will be reviewed and updated as necessary every second year.

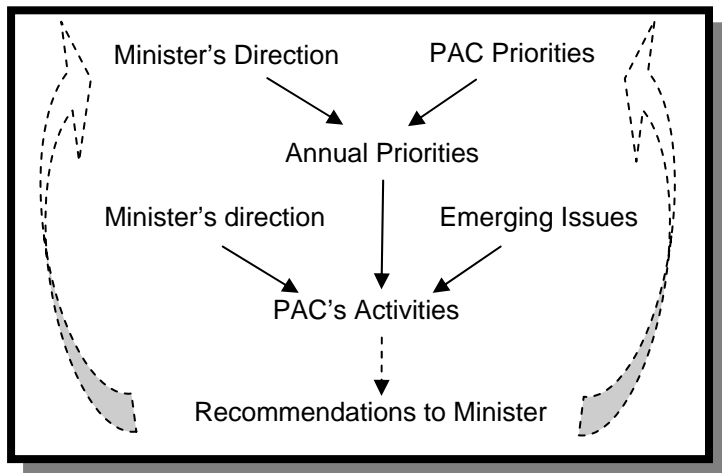


Figure 1: PAC Planning Framework

Background

In spring 2001, a new government administration was elected. One of its commitments was to “streamline the Forest Practices Code to establish a workable, results based Code, with tough penalties for non compliance”.

Consistent with that commitment, the Ministry of Forests and Range (MoFR), supported by the Ministry of Agriculture and Lands, Integrated Land Management Bureau and Ministry of Environment, led the development of a results-based forest and range practices regime (Forest and Range Practices Act - FRPA) to meet the following goals:

- a. Reducing the transactional and operational costs to industry;
- b. Reducing the Code's complexity;
- c. Providing the forest industry “freedom to manage” in delivery of defined results;
- d. Maintaining the Code's high environmental standards;
- e. Continuing to balance social, environmental and economic interests;
- f. Maintaining and enhancing the level of public acceptance of forest management;
- g. Being consistent with the resource capacity of government; and,
- h. Strengthening the compliance and enforcement regime.

Key assumptions guiding this initiative are as follows:

- 1) There will be no joint statutory decisions. A single decision maker will allow clear focus of accountability for any authorizations associated with a results-based regime.
- 2) Forest licensees will accept greater responsibility and accountability for delivery of required results.
- 3) There will be no requirement to submit site level plans for government review and approval.
- 4) Guidebooks will not be cited in legislation, but will be part of the non-legal realm to support the standard of due diligence for professional conduct.
- 5) The results-based regime will be crafted to be measurable, auditable, and enforceable.
- 6) The results-based regime will employ existing policy that balances environmental conservation with timber supply.

FRPA must also achieve these broader goals and conform to these assumptions within the current provincial legal and policy framework. For example, FRPA cannot compromise worker safety or the province's ability to meet its First Nations obligations nor can it be inconsistent with other laws (e.g., fisheries, archaeology, environmental protection).

Mandate

PAC was established by the Minister of Forests and Range to provide advice on legislation, policies and implementation of FRPA and its associated regulations. PAC's formal mandate is to:

1. *Undertake periodic reviews of the requirements that apply to:*
 - *Operational planning and forest or range practices under the Act; or*
 - *The regulation and the standard; and*
2. *Make recommendations on any other specific matters that are referred to PAC by the minister.*

PAC's more detailed Terms of Reference are attached in Appendix 1.

Guiding Principles

PAC will conduct itself in a manner that:

1. Provides clear, informed and useful advice to the Minister;
2. Maintains a high-level (versus operational) perspective on FRPA and forest and range practices with a clear view on the original public policy goals and key assumptions that guided the creation of FRPA;
3. Continuously improves PAC to become a more effective and useful group;
4. Considers any other external factors that PAC believes may influence practices, e.g., mountain pine beetle epidemic, stumpage rates, worker safety, First Nations obligations;

5. Provides PAC members and others the opportunity to fully present their individual views or views on behalf of their respective sectors with the understanding that PAC will strive to maintain a broader perspective towards the good of FRPA as a whole;
6. PAC will make formal recommendations to the Minister based on shared agreement within PAC with the understanding that where full shared agreement is not achieved PAC may provide the range of views to the Minister plus individual members may advance their constituents' specific interests outside of PAC; and
7. Bases PAC's advice on best available information from a variety of sources including but not necessarily limited to: existing monitoring and evaluation mechanisms; PAC member's experience; and solicited and unsolicited input from a diversity of stakeholder groups.

Strategic Focus

PAC's focus is to maintain a high-level strategic view of the FRPA framework and how it is implemented with a strong emphasis on how the FRPA framework actually translates into forest and range practices on the ground. This generally means ensuring that the legislation and subsequent amendments to the legislation:

- (a) Meet the overall policy goals set by government;
- (b) Adhere to the key assumptions that FRPA was built upon; and
- (c) Allow forest and range managers to meet strategic objectives established under FRPA specific to Forest Stewardship and Range Stewardship Plans.

PAC's oversight role also requires continuous monitoring and providing advice on FRPA implementation and forest and range practices – particularly where FRPA implementation or forest and range practices issues arise from the way that the legislation is constructed.

PAC has a technical advisory role however many PAC members are also closely involved with various public policy initiatives that may affect FRPA implementation, many of which are directly associated with ongoing public support for the entire FRPA initiative. PAC will strive to stay abreast of these initiatives and other external factors that may influence FRPA implementation, e.g., worker safety, First Nations' obligations, stumpage rates, B.C.'s international market position, and the softwood lumber agreement. This assists PAC in determining how these may affect effective FRPA implementation or if FRPA is limiting our ability to achieve these broader objectives.

Fundamentals of Success

PAC believes that FRPA must succeed in each of the following fundamental areas and that significant failure in any of these fundamental areas could compromise the success of the overall FRPA initiative. Therefore PAC will focus its activities and advice in each of these areas.

Public/sector support: FRPA represents a large shift in BC's philosophical and operational approach to forest and range management therefore, as with any large scale public policy change, public perception and support is a key factor of success. Integral components of the FRPA framework that must earn public and forest and range sector trust and support include: decreased government oversight; increased reliance on licensees; and increased professional reliance and

accountability. PAC has some advantage in monitoring trust and support because many key forest and range sub-sectors are represented in PAC. The following are some of the key factors that PAC believes will contribute to public and sector support.

- Ensuring that accurate and factual information is available to and reaches the public and forest and range sub-sectors. This information must build understanding and provide regular reports on the successes and learning experiences as FRPA is implemented.
- Effectively engaging forest and range sub-sectors in forest and range management planning to foster understanding and support for how Forest Stewardship Plan and Range Stewardship Plan objectives can be realized.
- Continued political support - preferably by all political factions.

Implementation: FRPA must be implemented in a timely and smooth manner to achieve FRPA's reduced cost and administrative burden goals, and to foster public and forest and range sector support. The FRPA framework is very complex therefore implementation problems could create costly and lengthy delays. Compounding implementation problems have the potential to threaten the entire framework. The following are some of the key factors that PAC believes will contribute to effective implementation.

- Meeting the higher standards that are implicit within FRPA must not foster unsafe working conditions.
- Everyone involved in following or implementing some aspect of FRPA must be fully educated about the intent of the FRPA framework and understand FRPA in enough detail to be able to fulfill their personal responsibilities.
- Paradigms must shift for the FRPA framework to be successful. Government must shift out of its previous command and control approach, individual professionals must embrace professional reliance and professional accountability, and forest and range sector players must learn to be more cooperative.
- Operational ties between the various key resource agencies must be re-defined and strengthened.

Monitoring and evaluation: FRPA must evolve and continuously improve over time. The following are some of the key factors that PAC believes will contribute to effective monitoring and evaluation.

- The monitoring system must be effective and cost-efficient and yield accurate and relevant results.
- Information produced by the monitoring processes must be objectively evaluated. Objectivity is necessary to produce reliable recommendations for continuous improvement and to avoid any perception of bias within this system (the entire process requires a large degree of mutual trust as mentioned earlier).

Efficiency: A key goal of the entire FRPA framework is to reduce administrative burden and costs. The following are some of the key factors that PAC believes will contribute to efficiency.

- FRPA is intended to make the overall system easier thereby reducing administrative cost and ‘red tape’ to industry. This is intended to translate into lower operating costs without compromising the high level of protection provided under the previous prescriptive Forest Practices Code regime.
- The government must be able to manage the complexity of implementing the FRPA framework without creating excessive financial or workload hardship to the involved ministries. It is important to note that this is not restricted to any single ministry. Increased professional reliance and results-based planning means that the MoFR no longer receives information on or reviews proposed activities ahead of time. Under the previous Forest Practices Code regime MoFR staff often flagged items that were the legislative responsibility of other ministries. However these agencies will now have to adjust to fulfill their responsibilities under the FRPA framework.

Land stewardship: FRPA must achieve at least the current level of land stewardship, and it is quite likely that FRPA will have to achieve an even higher standard of land stewardship to maintain public and sector support. The following are some of the key factors that PAC believes will contribute to improved land stewardship.

- Many professionals will be trying new ways of achieving their required results under the FRPA framework. This will require a great deal of innovation and cooperation among professionals both in terms of learning new ideas and in terms of evaluating whether the desired results were achieved. This requirement also extends across provincial ministries and possibly to federal departments because of the increased reliance on individual ministries and departments to monitor activities and impacts within their responsibilities.
- Forest and range practices under the FRPA regime must clearly demonstrate that they have achieved as good or better results with as few or fewer negative impacts than were achieved under the Forest Practices Code. This will require both demonstration and education with a wide range of forest and range sector stakeholders. These stakeholders will require much closer personal relationships than they may have had in the past in order to learn and demonstrate quality.

Professional reliance: In 2006 the resource professional associations released a joint task force report which defined professional reliance as “the practice of accepting and relying upon the decisions and advice of professionals who accept responsibility and can be held accountable for the decisions they make and the advice they give (Professional Reliance Task Force, 2006).” A major foundational element of FRPA is the reliance (by employers, government and the public) on resource professionals to provide sound advice. The following are some of the key factors that PAC believes will foster professional reliance.

- Under the Forest Practices Code, many forest and range professionals’ level of engagement was generally limited to ensuring that forest and range practices followed legislated “rules” and government direction as defined in guidebooks. The FRPA regime goes much further than requiring a professional be a competent practitioner. Forest and range professionals

must demonstrate that they can apply all their training and experience to balance a complex array of competing interests, adhere to sound scientific principles, and meet legal requirements when providing professional services or advice.

- Forest and range stakeholders must see and believe that the professional reliance component of the FRPA framework is working otherwise the privilege of professional reliance may be taken away. Other professions have lost their social licence to exclusive right to practice when the public lost faith in their ability to provide independent, value-neutral advice and services. There is no reason to believe that this cannot happen in the forest and range sector in B.C. as well.

Relationships

PAC must collaborate with a number of individuals and groups to achieve its mandate and establish its priorities. Each of these groups is somehow involved with PAC’s overall strategic focus and has an important role to play in terms of realizing the fundamentals outlined earlier.

Individual – Group	Relationship between PAC and the individual/group
Minister of Forests and Range	PAC provides advices and regular updates on activities, and receives direction from Minister.
Ministry of Forests and Range staff	PAC provides advice to staff through the Minister. PAC receives information and technical and administrative support from staff.
Forest Practices Board (FPB)	FPB monitors on-the-ground practices and reports on issues arising from FRPA. PAC maintains a liaison with FPB to solicit input on FRPA related issues.
BC Forest Safety Council (BCFSC)	BCFSC promotes forest safety and monitors safety issues that may arise from forest practices policies and legislation. PAC maintains liaison to solicit input regarding any impacts on worker safety that may be FRPA related.
WorkSafeBC	WorkSafeBC sets standards and monitors forest worker safety. PAC maintains liaison with WorkSafeBC to solicit input regarding any impacts on worker safety that may be FRPA related.
Mountain Pine Beetle Emergency Response Team (MPB ERT)	MPB ERT monitors issues that may arise with respect to the MPB Strategy and associated activities. PAC maintains a liaison to solicit input on FRPA practices with regard to MPB.

Individual – Group	Relationship between PAC and the individual/group
Provincial FRPA Implementation Team (PFIT)	PFIT provides regular communication and timely updates on FRPA practices and implementation and emerging issues to PAC. PAC reviews and comments on FRPA practices and implementation issues and provides advice (often, but not always through the Minister).
Forest and Range Evaluation Program (FREP)	FREP provides regular communication and timely updates to PAC on monitoring and evaluation of FRPA including emerging issues related to FRPA practices and implementation. PAC reviews and provides advice on structure, content and implementation of the FREP program (often, but not always through the Minister).
Professional associations (the Associations)	PAC requests periodic communication from “the associations” to monitor how the professional reliance components of the FRPA model are working. The associations include: Association of B.C. Forest Professionals (ABCFP), B.C. Institute of Agrologists (BCIA), Association of Professional Engineers and Geoscientists of B.C. (APEGBC), and Association of Professional Biologists of British Columbia (APB). PAC may provide advice through the Minister on how the professional reliance components of FRPA are working.
PAC Member’s Constituents	Each PAC member provides a conduit to solicit input with respect to PAC’s mandate from each member’s respective sector.

This list of groups that PAC must collaborate with will expand over time as PAC’s experience and scope of work grows. PAC will establish effective lines of communication with these groups including formalizing a scheduled reporting relationship with some, e.g., Minister, FREP, FPB.

Fundamentals, Indicators & Strategic Focus

The following provides examples of indicators that can monitor progress on each fundamental area of success summarized earlier in this document. It also provides the application of PAC’s strategic focus to each of these indicators. Appendix 2 contains a list of possible activities that might be undertaken to monitor each indicator. This list of possible activities will be finalized each year through PAC’s planning cycle summarized at the start of this document.

This chart is not intended to be comprehensive – new indicators and accompanying strategic focus may be added. The purpose of this chart is to demonstrate how PAC might apply its general mandate and strategic focus to the fundamentals and indicators.

Indicators	Strategic Focus applied to Indicator (Appendix 2 contains possible activities)
Public Support	
Public confidence	<ul style="list-style-type: none"> • Is the general public confident that public forests are being managed effectively under the FRPA regime?
Available and Useful Information	<ul style="list-style-type: none"> • Is useful information getting out to the forest and range stakeholders and is this information understood by those receiving it?
Effective Involvement in Forest and Range Planning	<ul style="list-style-type: none"> • Are forest and range stakeholders effectively involved in preparing Forest Stewardship Plans and Range Stewardship Plans and monitoring of those plans?
Implementation	
Continued Worker safety	<ul style="list-style-type: none"> • Does FRPA compromise or provide opportunities to improve provincial forest worker safety?
Meet First Nations obligations	<ul style="list-style-type: none"> • Does FRPA compromise or enhance the province’s ability to meet its legal obligations to First Nations?
Implement Mountain Pine Beetle Strategy	<ul style="list-style-type: none"> • Does FRPA allow the flexibility to meet or enhance the challenges of dealing with the MPB epidemic while ensuring proper forest and range practices?
Achieve Paradigm shift	<ul style="list-style-type: none"> • Has each group shifted their paradigm to accommodate their new role under the FRPA regime?
Monitoring & Evaluation	
Efficient and Practical System	<ul style="list-style-type: none"> • Is monitoring and evaluation under FRPA producing efficient and practical results?
Captures the Full Range of Values	<ul style="list-style-type: none"> • Does monitoring and evaluation under FRPA capture the full range of values that are addressed within FRPA?

Indicators	Strategic Focus applied to Indicator (Appendix 2 contains possible activities)
Contains Objective Evaluation	<ul style="list-style-type: none"> • Is the FRPA monitoring and evaluation process objective and seen to be objective?
Efficiency	
Achieved Reduced Cost	<ul style="list-style-type: none"> • Has the FRPA regime resulted in decreased costs to the forest and range industries?
Achieved Reduced administrative burden	<ul style="list-style-type: none"> • Has the FRPA regime resulted in decreased administrative burden to the range of forest and range sector stakeholders?
Government is Meeting its Responsibility	<ul style="list-style-type: none"> • Is government able to meet its responsibilities under the FRPA framework, including implementation?
Land Stewardship	
Sharing and Applying Experience	<ul style="list-style-type: none"> • Have we developed ways for the range of forest and range sector stakeholders to continuously improve their practices by sharing their experience and wisdom gained through experience with FRPA?
Standards Maintained or Improved	<ul style="list-style-type: none"> • Have forest and range practices remained as good or become better under the FRPA regime?
Professional Reliance	
Trained Professionals	<ul style="list-style-type: none"> • Have resource professionals developed the expertise to meet their professional reliance responsibilities under FRPA?
Stakeholder Confidence	<ul style="list-style-type: none"> • Do forest sector stakeholders have confidence that resource professionals are effectively exercising their professional reliance responsibilities under FRPA?

Conclusion

The new FRPA regime is intended to reduce the transactional and operational costs to industry; reduce complexity; provide the forest and range industry “freedom to manage” in delivery of defined results; maintain high environmental standards; continue to balance social, environmental and economic interests; maintain and enhance the level of public acceptance of forest and range management; be consistent with the resource capacity of government; and strengthen the compliance and enforcement regime. A key component of this regime is shifting from heavy government oversight to increased professional reliance and accountability.

It is important to understand that FRPA must achieve these broader goals within the current provincial legal and policy framework. For example, FRPA cannot compromise worker safety or the province’s ability to meet its First Nations obligations, nor can it be inconsistent with other laws (e.g., fisheries, archaeology, environmental protection).

PAC has identified fundamental factors of success that must be achieved in order to meet these general goals, and has also provided an indication of how PAC will determine its priorities and activities to ensure that these fundamentals addressed. PAC intends to meet its high-level oversight role to the Minister by adhering to this strategic framework to ensure that FRPA is successful.

Appendix 1

Forest and Range Practices Advisory Council

Terms of Reference

Terms of Reference

These terms of reference are approved by the Minister of Forests (the “minister”). With approval of minister, it may be revised or updated by the Forest and Range Practices Advisory Council (PAC).

General purpose (from Forest and Range Practices Act)

1. To undertake periodic reviews of the requirements that apply to:
 - operational planning and forest practices or range practices under the Act; or
 - the regulation and the standards.
2. Make recommendations to the minister on any specific matters relevant to FRPA that is referred to the council (PAC) by the minister.
3. Make recommendations on any other matters of specific interest to the minister that are relevant to his mandate as referred to the council (PAC) by the minister.

Term

The term for FRPA PAC will be at the Minister's discretion.

Members

The Minister will appoint members to represent a cross section of the forest and range perspectives but will be limited to no more than 12 members. Members must consider the broad range of perspectives that will include organizations and sectors that are not directly represented on PAC.

Co-Chairs

The Minister will designate the Chief Forester as one of two co-chairs. The members will elect the second co-chair from among their membership for a term of two years and will immediately inform the Minister of their selection.

The Chief Forester as co-chair is responsible for:

- a. Communicating on behalf of PAC to internal government; and
- b. Providing and coordinating secretariat support to PAC.

The co-chairs are jointly responsible for:

- a. Communicating on behalf of PAC to the Minister and Cabinet and to the public when directed by the Minister;
- b. Preparing meeting agendas in consultation with members;
- c. Chairing meetings; and
- d. Members' conduct as it relates to PAC.

Joint responsibilities will be determined between the co-chairs and communicated to the members on an ongoing basis.

Consultation

To help ensure PAC recommendations reflect the public interest, PAC can hold workshops with broader stakeholder representation, meet with various interest groups, develop draft documents for public review, and employ other consultation tools it feels are effective in its deliberations.

Reporting

PAC reports to the minister. The minister may refer some PAC recommendations to cabinet for decision. As a consequence, the minister may advise PAC that some matters are to be addressed in confidence. All decisions made by the minister or cabinet in response to PAC recommendations will be made public (unless subject to cabinet confidentiality).

Liaison

The chair and/or co-chair of PAC will meet regularly with the chair of the Forest Practices Board to ensure efforts are coordinated and to avoid duplication.

Agency support

PAC will receive policy and technical support from the Joint Steering Committee and the Joint Management Committee.

Meetings and Meeting Notes

PAC will meet at the request of the minister and/or the chair/co-chair. Proceedings from all meetings will be made available to the public and posted on a Website.

Reports

PAC reports will be made available to the public and posted on a Website, except those reports subject to cabinet confidentiality. PAC will prepare an annual report that summarizes its activities and post to the public Website.

Financial support

Travel costs for members and administrative support will be covered by government.

Appendix 2

Possible Activities to Monitor Indicators

This chart provides possible activities that could be undertaken to monitor possible indicators for each fundamental. PAC’s actual activities will be determined each year using PAC’s annual planning cycle summarized in the PAC Strategic Framework.

NOTE: PAC will finalize its activities through PAC’s annual planning cycle	
Indicators	Possible Activities to Monitor Indicator
Public Support	
Public confidence	<ul style="list-style-type: none"> • Independent surveys of public understanding and confidence in the FRPA regime
Available and Useful Information	<ul style="list-style-type: none"> • Wide-spread FRPA communications strategy from the Minister’s office • Independent surveys to determine levels of knowledge and support
Effective Involvement in Forest and Range Planning	<ul style="list-style-type: none"> • Ensure that monitoring systems captures level of participation of forest and range stakeholder. • Independent surveys to determine levels of involvement and satisfaction with involvement (may also extend to satisfaction with final plans)
Demonstrated Political Support	<ul style="list-style-type: none"> • Independent surveys to determine levels of support
Implementation	
Continued Worker safety	<ul style="list-style-type: none"> • Ensure that trends in worker safety are monitored under the Forest and Range Evaluation Program • Formulate a partnership with Worksafe BC to monitor changes in worker safety • Conduct research on the effects of practices under FRPA to worker safety
Meet First Nations obligations	<ul style="list-style-type: none"> • Ensure that all relevant forest and range sector stakeholders understand how the province intends to meet its obligations under FRPA • Establish a partnership with First Nations to monitor any changes to the province’s effectiveness in meeting its legal obligations as a result of FRPA
Implement Mountain Pine Beetle Strategy	<ul style="list-style-type: none"> • Establish a working relationship with the MPB Action Group. • Conduct a field tour of MPB areas and operations. • Receive periodic updates on MPB Strategy with an emphasis on the adequacy of FRPA

NOTE: PAC will finalize its activities through PAC's annual planning cycle	
Indicators	Possible Activities to Monitor Indicator
Achieve Paradigm shift	<ul style="list-style-type: none"> • Conduct stratified opinion surveys to determine what shifts in thinking have occurred through FRPA implementation
Monitoring & Evaluation	
Efficient and Practical System	<ul style="list-style-type: none"> • Independent review of expenditures and usefulness for FRPA monitoring and evaluation
Captures the Full Range of Values	<ul style="list-style-type: none"> • Review by PAC members of elements of FRPA monitoring and evaluation • Send FRPA monitoring and evaluation for review by other forest sector stakeholders
Contains Objective Evaluation	<ul style="list-style-type: none"> • Independent survey and review of objectivity
Efficiency	
Achieved Reduced Cost	<ul style="list-style-type: none"> • Cost comparison studies of pre-FRPA versus post-FRPA
Achieved Reduced administrative burden	<ul style="list-style-type: none"> • Administrative burden studies of pre-FRPA versus post-FRPA
Government is Meeting its Responsibility	<ul style="list-style-type: none"> • Regular progress reports on FRPA implementation • Independent review of bottlenecks for causes and proposed solutions
Land Stewardship	
Sharing and Applying Experience	<ul style="list-style-type: none"> • Receive reports on the presence and effectiveness of sharing networks • Independent surveys of stakeholders' degree of cooperation
Standards Maintained or Improved	<ul style="list-style-type: none"> • Comparative analysis of compliance and forest practices problems pre and post FRPA
Professional Reliance	
Trained Professionals	<ul style="list-style-type: none"> • Form an alliance with professional organizations and receive reports on professional development measures being taken by those professional organizations. • Independent review by experts familiar with the legal professional reliance requirements
Stakeholder Confidence	<ul style="list-style-type: none"> • Independent surveys on stakeholder confidence of professional reliance (in cooperation with professional associations)