

Minutes

Summary Notes

Minister's Forest and Range PRACTICES ADVISORY COUNCIL (PAC)

Richmond, BC V6X 1A3
June 1 - 2, 2005

Attendees:

Brian McNaughton, Federation of BC Woodlot Associations
Corinne Lonsdale, Union of BC Municipalities
Roy Nagel, Central Interior Logging Association
Dale Drown, Guide Outfitters, COTA
Kim Pollock, United Steelworkers Assoc.
James O'Hanley, (Weyerhaeuser) Major Licensees
Bruno Delesalle, Grasslands Conservation Council of BC
Duncan Barnett, BC Cattlemen's Association (June 1st)
Ric Slaco, INTERFOR (June 2nd)

Jim Snetsinger, Chair, Ministry of Forests
Ralph Archibald, Director, Forest Practices Br., Ministry of Forests
Ian Miller, Legislation and Policy Specialist, Ministry of Forests
Shirley Turcotte, PAC Coordinator, Ministry of Forests

Guests:

Norah White, Legislative Intern
Barry Dobbin, Assistant Provincial Beetle Coordinator, Ministry of Forests
Peter Bradford, FRPA Resource Evaluations, Manager, Adaptive Management, Ministry of Forests (June 1st)
Peter Tschapinski, Fish-Forestry Interactions & Watershed Research Program, Ministry of Forests (June 1st)
Richard Manwaring, District Manager, Kalum Forest District (June 2nd)
John Perras, Tenures Forester, Kalum Forest District (June 2nd)

1. Introductions/ Welcome / Agenda / Minutes - Jim Snetsinger, Chair

- Welcome to Dale Drown, alternate for David Littlejohn, COTA.
- PAC Feb. 3-4th Minutes -PAC Members approved minutes for posting to website.
- PAC Membership - once Government has confirmed the Minister of Forests, PAC membership and alternates will be reconfirmed.

ACTION: Jim Snetsinger, Chair and PAC representative to follow up with invitation to Minister to attend next PAC meeting (fall 2005) to renew PAC Mandate.

2. FRPA Update – Ralph Archibald

- A pocket-sized, printed format "InfoFlip" brochure was presented at the BCCA Annual Meeting and endorsed. A project has been launched to develop a Range InfoFlip.
Items for consideration when developing an InfoFlip for Range:
 - 1) Provide info re Invasive Plants (red and blue listed, etc.)
 - 2) Need to ensure user-friendly - use both metric and Imperial measurements
 - 3) Focus on FRPA but need to provide links to *Range Act*, and other relevant legislation.
- PAC agreed there is a need to have coordinated review and agreement on the protocol, methodology, etc. for the Range Monitoring, and agreed understanding by MOF, WLAP, DFO, MAFF, etc.

Non-Statutory Framework

- Non-statutory framework now includes some new areas under FRPA that were not there under the Forest Practices Code (e.g. Effectiveness Evaluations, Chief Forester's Guidance, Factors)
- Gov't is preparing a document that will outline principles and objectives for the non-statutory framework.
- Due to the immediate need for guidance in the interior of the province, staff have prepared Chief Forester's Guidance on Harvest of Mountain Pine Beetle Killed Trees.
- The Cariboo-Chilcotin Beetle Action Coalition is working on plan for community transition – plan needed for the economic destiny after the beetle

PAC Questions/Comments

1) Does province have funding available to manage the Mountain Pine Beetle?

(Reply: J Snetsinger) Federal Funding (\$100 M) has been committed, but not yet received as is tied to passage of federal budget. Program planning has started.. Provincial Funding (\$87 M) for Forests For Tomorrow will go towards mitigation - silviculture treatments, downfalls, etc.). As well, a proposal for further federal funding is being developed.

2) Are there any practices related issues re FSPs raising concern – risks, implications?

(Reply: J. Snetsinger) Some Species at Risk policy work is underway.

(Reply: Ian Miller) Implementation issues being managed by Provincial FRPA Implementation Team (PFIT), as only two FSPs approved, too early to judge, but resolving issues and implementing solutions is on-going.

3) Regarding the Woodlot tenure holders – are species at risk issues raising any problems?

- Impact of Species at Risk re Mountain Caribou is certainly raising concern with Guide Outfitters Assn. members.

(Reply: PAC Woodlot Rep.) There are some ecosystem/community forest issues, but no substantive feedback has come forward as yet.

(Reply: J Snetsinger) The inter-agency ADM level Joint Steering Committee is monitoring this issue and there is also a Species at Risk Coordination Office – led by Kevin Jardine.

4) Is FRPA able to effectively managing the impact of public recreation on Crown Land?

- The impact of individual use/public recreation on Crown Land is not provided for – no statutory legislation under FRPA to manage activities (e.g. Mudbogging, but there are also others). BCCA has been trying to raise this as a significant concern.

- PAC concern is what is happening on the landbase, however, another concern is that some tenure holders could be held accountable for public recreation damage.

- This issue also concern for GCC members. Off-Road Coalition is working on options and developing a document.

ACTION: PAC suggested this issue re off-road vehicles, etc. be raised to Minister as a concern that FRPA is not providing for the impact of public recreation on Crown Land.

3. FRPA Resource Evaluation Program (FREP) – Peter Bradford

• Update on FREP to provide further details on the program that will help define role, if any, PAC wants to provide.

NOTE: It is FRPA effectiveness that is being evaluated.

Questions/Comments

1) Are invasive/exotic plants covered in the soils indicators? (Invasive Plant indicators are not just a Range issue)

(Reply) No, invasive plants are not currently one of the soils indicators.

ACTION: This will be raised with the soils team for consideration.

2) What is the status of the “Wildlife Indicators”?

- Wildlife (specifically the bigger game species) is a concern for Guide Outfitters - if Wildlife value likely won't be completed until 2007, is there an opportunity to influence priority be accelerated?

- Need to consider that some areas, like Wildlife, are multi-agency, therefore, timelines are more difficult to manage or may not be within FREP's control.

(Reply) Full FREP implementation is expected to take 5-7 years. A Treasury Board Submission detailing the resources required to continue to develop and implement FREP will be presented to MOF Executive for support in the fall 2005.

Note: The FREP extension note (#9) details the status of indicator development for all of the values.

(FREP website updates on an ongoing basis) <http://www.for.gov.bc.ca/hfp/frep/>

Riparian Resource Stewardship Monitoring Pilots Results (Slide Presentation) –Peter Tschaplinski

PAC Questions

1) Was soil disturbance, that was caused from non-forest related activities (oil and gas, mining, recreation, etc.) tracked?

(Reply: P Tschaplinski) Yes, in principle. The sites to be examined need to be reviewed in the context of the larger spatial setting in the watershed and what activities had occurred there. To do this, survey crews must do their homework prior to field monitoring. Staff know the areas, review data, and have access to information that should be considered.

2) How were the assessment standards arrived at? Concern is that Range has not yet reached a common agreement/understanding.

(Reply: P Tschaplinski) We are confident that standards are scientifically and technically defensible. The indicators / methodology was developed by a peer working group of scientists from government (provincial and federal), academia, and the consulting community. This group was a part of the larger FREP Resource Value Team (which included 3 industry reps, cross agency reps, research scientists), however, scientists provided most input. The indicators have been thoroughly field tested for precision. They were evolved/refined from indicators and methods developed elsewhere in the Pacific Northwest, so there is a well-established precedent for this approach and methodology. Further peer review and technical publication is planned.

3) Industry needs to have the economical and social factors considered, and this work is focused on environmental standards under FRPA.

(Reply: P Tschaplinski) We understand the importance, and intend to work cooperatively with industry in whatever way industry wishes to be engaged. In particular, we would like to jointly identify which practices on the ground are working better than others. FREP was initiated by government to examine the effectiveness of government regulations and management standards. It is important to note that FREP is examining the regulations, environmental standards, and management practices that we together had thought were reasonable under the FPCode and now FRPA.

FREP - PAC Role – Discussion

- PAC need only review the indicators to ensure the benchmarks are the right ones to evaluate FRPA standards, not only the environmental standards, but the economic and social standards as well. PAC concern is to examine results, ensure there isn't slippage, and raise flag to the Minister where needed.
- An role for PAC may be to provide advice to the Minister regarding the priority/focus of government on a value or management practice.
- Evaluation Review: The Inter-agency Joint Management Committee reviews detailed evaluations, and where necessary makes recommendations, the Inter-agency ADM level Joint Steering Committee reviews recommendations and provides direction.
 - PAC may want to have role in reviewing recommendations, with summary information to provide context.

ACTION: PAC requested P. Bradford revisit his Business Map and propose suggestion as to where he believes PAC should fit in.

4. Mountain Pine Beetle – Barry Dobbin

- Website for the British Columbia's Mountain Pine Beetle Action Plan 2005–2010 and other information http://www.for.gov.bc.ca/hfp/mountain_pine_beetle/
- A 13 Member Minister's Advisory Group on Mountain Pine Beetle has been formed.
- MPB Action Plan did not include range therefore a draft document has been prepared for BCCA review and comment that outlines MPB Impacts on Range.
- PAC noted need for central coordination of work underway by various groups and associations to ensure information shared and avoid duplication of efforts.
- The decision to defer stumping was made prior to MPB, leaving operators without the means to cover the cost.
 - Industry has acknowledged that there is an issue and is willing to discuss options.
 - Agriculture Foundation project is exploring options (including deforestation/conversion to intensive agriculture, silvopasture/agroforestry systems, etc.)
 - Woodlot Federation members also piloting some eco-system plots (growing trees and forage together).

PAC Questions/Comments

1) What is being done to mitigate MPB Impacts?

- Both COTA (roads/visual quality, etc.) and Guide Outfitters Assn. (wildlife, etc.) members are experiencing heavy impacts by MPB.
- Tourism jobs are often low paying, and communities concerns need to be focused on diversification. Communities must maintain their stability – they cannot afford to lose good paying jobs. MOF needs to do whatever it can to determine a way to stockpile beetle wood for future milling after all stands have been harvested.

(Reply: B. Dobbin). As a representative on both the MPB Stewardship Team and the Ecosystem Restoration Working Group, issues/information is cross-communicated.

Non-timber values – Several items on non-timber resources can be found on the MPB website http://www.for.gov.bc.ca/hfp/mountain_pine_beetle/stewardship/

(Reply: J. Snetsinger) Government is looking at a range of things: extending life of fibre, biofuels to create electricity, different silviculture strategies/diversification of tree species, etc.) The base AAC will remain but there is a need to look at how we use the resource as it comes on stream.

5. Proposed Process for PAC Recommendations - Jim Snetsinger

- Minister attended the October 6th PAC Meeting via teleconference and responded to PAC Issues, Concerns and Advice from the Sept. 8th, and thanked Members for their work.
- At that time, PAC Members verbally presented further recommendations to the Minister, which he heard and again, thanked PAC for their diligence and input.
- PAC Recommendations to Minister *and* Minister's Response to PAC documents should be posted together.

Draft Response to February 3-4, 2005 PAC Issues and Concerns - Ian Miller

- The *Draft* Minister's response to PAC Issues, Concerns and Advice from Sept. 8th meeting was tabled at the Feb. 3rd PAC meeting by Ian Miller for PAC review and comment.
- The *Draft* Minister's Response to the key issues that PAC verbally presented to the Minister on Feb. 3rd was prepared and tabled by Ian Miller for review / approval by PAC.
 - PAC requested opportunity to review both the September and February and bring forward as recommendations items that specifically require a response from the Minister.

ACTION: PAC Woodlot Rep. and PAC Leg. & Policy Support I. Miller to review and re-package issues that are specifically Recommendations to the Minister and distribute draft for PAC approval.

PAC Meeting - Thursday, June 2, 2005

1. Implementation - DDM FSP Approval Process

- Rick Manwaring, District Mgr & John Perras, Tenures Forester, Kalum Forest District

- Under Forest Practices Code, the Statutory Decision Maker (SDM) had decision authority. Under FRPA, the statutory authority shifted to the Minister, who can provide direction to the Delegated Decision-Maker (DDM) with regard to approvals.

PAC Questions/Comments

1) Can political pressure be brought to bear when the Minister has authority?

(Reply: R. Manwaring) A DDM may wish to request some direction from Minister around an issue.

(Reply: J. Snetsinger) Direction from Minister is intended to be broad, high level direction, not plan level.

FSPs

- Expectation Meetings held between DDM and licensee forester allows opportunity to discuss areas of potential concern.
- FSP wording is critical - to ensure the meaning is clear, when FSP includes innovation, DDM may wish to consult with Tenure Specialists, C&E staff to ensure "doability" - measurable and verifiable.
 - PAC members noted that initially the defaults will be used most frequently, because it will be easier for licensees.
- Kalum Forest District has 1 FSP approved, and several more underway, therefore, has some experience and initial observations to offer.

PAC Questions/Comments

1) Innovation - Most "guidance" in the Non-Statutory Framework is led by MOF, therefore, DDMs put great weight on it, however, need to assess other options with open mind.

(Reply) High level of confidence that staff will review and understand where standard of practices are acceptable.

2) Cost Savings - Reviewing the FSP submissions available to date and Riparian evaluation work underway, could cost-savings be included as a consideration.

(Reply: I. Miller/N. White) It would be possible to track a broad range of things, this analysis of riparian results and strategies is only a beginning. In fact, there are only 4 objectives that actually do have defaults.

- PAC Industry Rep noted that licensees expect the small operators will use the defaults, until the larger licensees have some established process in place, then they will follow. Licensees accept that there is cost to developing tracking systems, etc.

3) PAC members agreed Wildlife is an area of concern. FRPA will be jeopardized if wildlife is not managed.

- It is important to note that *most* FSPs will not come up until 2006. However, baseline information, monitoring protocols, etc. need to be developed and in place prior to that time.

(Reply: J. Snetsinger) Objectives Set by Government are critical for wildlife, and MOF/MSRM are raising need with WLAP that it is urgent to accelerate getting the WHAs in place.

(Reply: R. Manwaring) We also have confidence in Professional Reliance - that where professionals (both DDM and licensee) agree there is a risk, then there needs to be some visible plan to address public concern in the FSPs.

- 4) PAC members generally had some concerns involving notification and consultation issues:
- A central data base, coordination of information where all parties with rights could be identified would be useful, as some small operators do not always see advertisements, and are not aware of plans until it is too late.
 - Associations should be encouraged to make membership lists available to District Managers.
 - There is some onus on the First Nation groups to identify and make "known" where their right to claims are, and to specify the locations "up front", before roads and blocks are planned.
 - (Reply: Ian Miller) A central registry is presently being developed.
 - 3rd Parties with Rights - are generally interpreted as those who have government granted rights - tenures, etc.
 - Are workers considered / covered under FRPA as 3rd Parties with Rights? This is not addressed anywhere except under the Roads value. This is a safety concern for workers. Workers need to have the ability to review workplans as early as possible. With respect to gov't commitment to equity - it was addressed under the *Forest Practices Code Act*, and would have expected it to be addressed under FRPA.

(Reply: R. Archibald) This type of WCB over-ride was initially included by the FRPA drafting team, however, it was later struck by the Legislative Counsel of the day, as their rule is generally not to create duplication with other legislation - that FRPA must stand alone. As a direct result of PAC raising this issue, government subsequently amended section 2 of Forest Planning and Practices Regulation and section 2 of the Woodlot Planning and Practices Regulation in December of 2004 to re-introduce the reference to the *Workers Compensation Act*.

(Reply: R. Manwaring) Any member of the public may request to see site plans at the licensee's office)

Note: Worker-safety issues are covered under WCB Act.

ACTION: PAC will review the issue and any recommendation previously taken forward regarding worker safety, do a problem analysis and bring forward for discussion on next PAC Agenda.

ACTION: Jim Snetsinger committed to review how worker safety was addressed under FPCode vs. FRPA prior to next PAC.

5) Communication strategies with regard to both FRPA and FREP:

- Members suggested Associations can and should play a significant role in helping provide the level of understanding to bring about the shift from Forest Practices Code to FRPA model.

Note: PAC have previously raised the need for a Communication Strategy around FRPA and the Minister specifically requested PAC to put their minds to this and offer recommendations.

NEXT STEPS

PAC Teleconference June 27th