

**PAC Meeting
October 11-12, 2007
Key Issues**

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

**Best Western Richmond Inn
Room 290
Richmond, BC**

PAC Members

Attendees:

Duncan Barnett
James O'Hanley (Oct. 12th)
Corinne Lonsdale
Brian McNaughton
Garry Merkel, Co-Chair
Rick Publicover
Kim Pollock
Ric Slaco
Peter LaRose

Gov't Representatives

Attendees:

Jim Snetsinger, Co-Chair
Ian Miller
Shirley Turcotte, PAC Secretariat
Marg Shamlock
David Borth

Presentations by:

Brian Robinson
Val Miller
Peter Bradford
Dave Trotter

Affiliation

British Columbia Cattlemen's Assn.
Major Licensees (Interior)
Union of BC Municipalities
Federation of BC Woodlot Associations
First Nations Summit
Central Interior Logging Association
United Steelworkers
Major Licensees (Coast)
COTA

Ministry of Forests and Range
Manager, Integrated Resources, Forest Practices Branch MFR
Ministry of Forests and Range
Legislation and Policy Specialist, Ministry of Forests and Range
Director, Range Branch, MFR

ABC FP
Invasive Plant Officer, Range Branch, MFR
FRPA Resource Evaluation Program, Forest Practices Br., MFR
Agro Forestry Specialist, Ministry of Agriculture and Lands

**1. Minister's Forest and Range Practices Advisory Council (PAC) June Field Tour /
Review and Comment of Draft June 12-13 Key Issues**

- B. McNaughton noted the follow up regarding two issues raised by forest industry during PAC tour should be included in the June Key Issues document, as follows:
 - 1) A concern was raised during the field tour by the Tolko forest industry representative, who reported forest management practices may be constrained by GAR (and OGMAs) orders (re: managing for ungulate winter range in MPB affected stands).
 - 2) The UBC Alex Fraser Research Forest raised a concern about their ability to reflect their forest health activities by way of results/strategies for the timber objective in their FSP.

ACTION: Ian Miller to follow up with Tolko industry representative and ask if he could provide his perspective on this issue in writing so an analysis can be undertaken and reported out on at the Interagency Joint Management Committee (JMC) and to the Interagency ADM Joint Steering Committee (JSC).

ACTION: Ian Miller to follow up with the UBC Alex Fraser Research Forest and discuss with Charlie Western, PFIT.

ACTION: July 12-13 Key Issues to be revised for PAC review and approval, for posting to the PAC website.

2. FRPA Legislation - Update

- M. Shamlock noted that there is an opportunity to propose amendments to the *Forest and Range Practices Act* (FRPA) in spring 2008, and then not again until the year 2010.
- Some FRPA changes are proposed for spring of 2008 in order to complete the full implementation of FRPA in an effective and efficient manner

Range Update

- D. Borth advised that the BC Cattlemen are requesting a Forage Objective be included in the Forest Planning and Practices Regulation (FPPR), to provide flexibility around MPB timber disposition when clearing for fence lines, etc.

Forest Stewardship Plans (FSPs) Update

- By the end of September, out of 399 licensees who may prepare FSPs, 353 have submitted plans for approval, and out of those, 298 have approved FSPs.
- FSP tracking was an important measure of success for the implementation of FRPA. No further monthly FSP tracking reports will be reported formally to PAC.
- Focus will now turn to preparing, reviewing and approving woodlot license plans, range use plans and range stewardship plans.

Note: Grandparented range and woodlot plans approved under the Forest Practices Code will expire on December 31, 2007.

Note: C. Western advised that PFIT created the Small Tenure Working Group which includes all Woodlot, Range, Small Scale Salvage and Forestry Licences to Cut tenure holders. The next teleconference is scheduled for November 9th

Provincial FRPA Implementation Team (PFIT)

Post FSP Workshop (building on a session held by PFIT last spring) has been designed to focus at the regional level and is targeted to be held late winter 2007/early spring 2008.

Please visit the PFIT website which now has now been revamped to include enhanced tools (http://www.for.gov.bc.ca/hth/timten/FRPA_implementation/index.htm). The new structure provides the ability to easily expand and add new information, etc.

Note: The Administrative Guidance document has been divided into two volumes:

- Vol. 1 will deal with the preparation of FSPs
- Vol. 2 will focus on post FSPs

3. Professional Reliance - Brian Robinson, A/Director, Professional Practice and Forest Stewardship, ABCFP

- Historic summary of how ABCFP has worked with their members and others re understanding/defining/communicating on professional reliance between 1998 and July 2007. Eighteen various projects, workshops, communication papers, etc. were identified that specifically focused on professional reliance and guidance.
- ABCFP reported that although a lot of guidance and discussion around professional reliance has taken place, they see a need for enhanced leadership on professional reliance and they have created a new position to meet this challenge. Mike Larock has been appointed to take on this leadership role.

Professional Reliance Workshop - The ABCFP is hosting three workshops on *Applying Professional Reliance under FRPA* in November (Nanaimo, Kamloops and Pr. George) which will focus on developing better understandings around the principles of professional reliance. It will be a dialogue centered, interactive format. The professional reliance workshops are posted on the ABCFP web site http://www.rpf-bc.org/practice_development/continuing_education/workshops.asp

ACTION: S. Turcotte to provide Task Force recommendations and draft guidance “Applying Professional Reliance under FRPA” out to PAC for review and Flag for an upcoming topic on PAC agenda.

Question: Could PAC consider inviting a panel made up with representatives from the four professional associations that were on the Task Force (ABCFP / Agrologists / Biologists and Engineers and Bio-scientists) to discuss professional reliance?

Item for Discussion: Is there an issue/conflict for professionals who have responsibility to their employer to increase their economic interests and their professional code of ethics to carry out the best stewardship practices?

Item for Discussion: PAC believe that professional reliance should not be expanded into other areas (e.g. appraisals) until it is working effectively under FRPA.

ACTION: Jim Snetsinger to discuss PAC suggestion for MFR lead on professional reliance with Tim Sheldan, ADM Ops, MFR.

ACTION: PAC requests more discussion around professional reliance / results based model prior to contemplating whether PAC wish to make any recommendations or provide advice to the Minister.

PAC Discussion re Professional Reliance

Question: Have any MFR documents been distributed out providing guidance related to professional reliance?

Reply: Yes, a series of bulletins have been written and distributed out.

Note: Bulletins can be found on the PFIT website, (http://www.for.gov.bc.ca/hth/timten/FRPA_implementation/index.htm).

PAC Discussion regarding Range Issues and Professional Reliance:

Question: What special qualifications / training are provided for MFR C&E staff that are responsible for carrying C&E on range matters?

- May require some enhancements to the C&E Range matrix
- Issue also linked to the question regarding dispute resolution between Registered Forest Professionals and other professionals - there is no mechanism in place to deal with this issue - Question should be sent to ABCFP for consideration.

Reply: The Range Branch has contracted a consultant to conduct a review of range and forage management issues arising from FRPA that are of concern to the BC Cattlemen’s Association and the government ministries, including Ministry of Forests and Range, Ministry of Environment, and Ministry of Agriculture and Lands. This analysis will be carried out before the end of December, and will be used to help guide FRPA legislative and implementation activities over the next several years.

ACTION: D. Borth will request consultant to contact D. Barnett to discuss his views regarding needed enhancements to the C&E Range Matrix.

4. Provincial Legislative Framework for Invasive Plants - Val Miller, Invasive Plant Officer, Range Branch (see powerpoint presentation attached)

Legal Framework

Main provincial governing legislation includes:

- *Integrated Pest Management Act* (under MOE)
- *Weed Control Act* (under MAL)
- *Forest and Range Practices Act* and Invasive Plant Regulation

Federal legislation that also influences invasive plant management activities in the province include:

- *Seeds Act* and Regulations (sets standards for grass and forage seed and regulates amount of invasive and noxious weed seeds allowed in seed and seed mixes (see <http://laws.justice.gc.ca/en/showtdm/cs/S-8>)
- *Species at Risk Act* (SARA)
- *Plant Protection Act* and Regulations

FRPA

- FRPA legislative amendment needed to ensure consistency between the Forest Planning and Practices Regulation and the Range Planning and Practices Regulation to regulate the control **and** spread of weeds versus **or** - the intent was to prevent the introduction and/or spread during forest activities
- FRPA expectations are preventative (excludes control of established areas) (Invasive Plants Bulletin – work on the draft bulletin is still underway)

Note: B. McNaughton reported that some MFR District Managers are still not comfortable with a results based approach for Range Stewardship Plans and are looking for "measures" (which is beyond FRPA requirements) during the RSP approval process.

ACTION: David Borth will follow up through MFR ADM, Operations, and report back to PAC.

Inter-ministry Invasive Plant Working Group

- Ministry of Agriculture and Lands is tasked as strategic lead for taking forward Treasury Board Submissions funding request.
- Working to produce a "state of the nation" Invasive Plant Report.

ACTION: Jim Snetsinger, David Borth to discuss IMIPWG governance / options for a coordinated approach with Tim Sheldan, ADM Operations, MFR, and report back to PAC.

Central Inventory / Database (Invasive Alien Plant Program (IAPP) Application)

- Training underway to provide all stakeholders an opportunity to use this common database / map display tool. Having a central list is less important than ensuring a good understanding around the different lists (training / communication issue).

Invasive Plant or Weed Committees

- Committees vary across the province, and not all areas have a committee.
- Committees are usually led by either Ministry of Agriculture and Lands or are driven by a passionate individual (passionate individuals come from both inside or outside of government).

- Guidebook to Invasive Plant Management in BC - See Invasive Plant Council of BC website <http://www.invasiveplantcouncilbc.ca/>
- D Barnett attended 9th International Conference on Alien Plant Invasions held September 17th – 21st, 2007 in Perth, Australia. All presentations and other information is available on their website <http://www.congresswest.com.au/emapi9/>

Northwest Invasive Plant Council - Pilot (\$250,000/year)

- Funding contributions for annual operational activities come from each agency / partner.

East Kootenay Invasive Plant Program - Pilot (\$1.2 M over 3 years)

- Other agencies are involved, but do not contribute funds to this pilot.

Challenges:

- MPB activities / invasive plant responses – a funding request will go forward through a Forest Ecosystem Treasure Board Submission.
- Ranking of invasive plant priorities in BC
- Needed at a central level.
- Consistent programs - need for stable program resources (funding and staff).

Flagged for Attention:

- Consistent wording between the *Forest and Range Practices Act Forest Planning and Practices Regulation* and the *Range Planning and Practices Regulation* - work currently being undertaken by Range Branch may address this issue.

ACTION: Ian Miller will check the wording in the FRPA and Range PPRs for consistency.

5. Agroforestry and Non Timber Forest Products (NTFPs) - Dave Trotter, Evelyn Hamilton, Sinclair Tedder (see powerpoint presentation attached)

Silvopasture = trees / forage / livestock

- Small licensees (woodlot owners, range licensees) need to have revenue streams to help them manage their options. We need to understand if there is the flexibility under FRPA to allow managing for timber and forage for cattle - model provides for short term, mid-term and long term economic revenue for landowner:
 - annually - pasture
 - both short and longer terms - pasture / cattle
 - long term - timber
- PAC noted that this would appear a commonsense approach for small licensees to look at ways to benefit through biodiversity, however, need to understand if there would be any impacts on AACs / what % of the landbase would be impacted, etc.
- There are a number of silvopasture trials and pilots underway.

PAC Discussion re Agroforestry Issues

Question: Has Ministry of Environment been involved in landuse planning discussions (GAR orders, GWMs, etc.)?

Reply: No, not as yet, the Agriculture Land Reserve (ALR) is working to provide the Ministry Agriculture with standards so they can consider including ALRs.

Reply: A policy analysis is needed to look at how it fits into rest of landbase, and how it fits with the Forests for Tomorrow (FFT) strategy, etc.

Note: PAC specifically requested that Minister Coleman be made aware of PAC's request for this analysis and the need for ADM champion.

ACTION: S. Turcotte to distribute list of trials and pilots out to PAC for information.

ACTION: Jim Snetsinger/David Borth/Dave Trotter to discuss Action Plan and then follow up with with ADMs (Harvey Sasaki, ADM MAL and Tim Sheldan, ADM MFR Operations MFR to discussing options on how to move forward on Action Plan and need for ADM Champions for Action Plan.

ACTION: Jim Snetsinger requested a policy analysis be undertaken through JMC/JSC. S. Turcotte to add to JMC Priority Topics for JMC and document PAC interest in the PAC Annual Report.

Non Timber Forest Products (NTFPs)

- NTFPs can be expanded to various other products (e.g. furs), however, currently the focus is limited to food and plant products and the "niche market" (mushrooms/floral greenery) is developing in areas that overlap with social values - traditional / cultural / food and subsistence / recreational areas (note: recreation may include forest walks to hunt for mushrooms)
 - Businesses that export mushrooms and floral greenery would be a larger scale and likely contribute to tax base.
- Product branding - D. Trotter explained that efforts to put a framework around product "brand" is based on values (similar to organic products or certified products) and a "green tag brand" would be seen as a natural product and market place/buyers would be buying the brand based on those values.
- There is a need to pilot various adaptive management approaches. Royal Roads University has various research studies underway, including looking at concerns around First Nations and trespass issues, etc. (*see Royal Roads website <http://www.royalroads.ca/research/>*)
- The MFR Research Branch also hosts a website which provides access to some reports and linkages to other sources of information for NTFPs (*see <http://www.for.gov.bc.ca/hre/ntfp/>*)
- Economic Impacts of Land Use decisions - G. Merkel noted that from his perspective, where people live off the land (subsistence living), the activities are virtually their "job". If their ability to live off the land is taken away due to land use decisions, they no longer have their "job" and the result is that the government must then support those peoples.

- NTFPs and Land Use decisions - need to be aware that these products do not necessarily fall into existing tenure areas, etc.
 - Tenuring/Standards for Pine Mushrooms - to date, government has not developed policy standards.
 - First Nations were also trying to develop a collaborative model with FN communities (monitoring requires people on the landbase, so that would need to have FN communities support)
 - E. Hamilton is meeting with FN Forestry Council to discuss issues.
 - Study underway with Royal Roads which will provide analysis re regulation requirements, etc. (likely 1-2 years to finalize)
 - championed by L. Pedersen, ADM MAL
 - Ecosystem Restoration / trespass issues - Rural areas are experiencing growth in activities (mushrooms, floral greenery, etc)
 - these rural communities do not want to see activities curtailed, but want to ensure practices do not cause any environmental concerns
 - PAC noted linkages to similar concerns around the off road vehicle issues
 - could a FRPA objective related to unacceptable practices be considered?
- ACTION: Jim Snetsinger noted that there is a lot of work underway, however, he will discuss with Craig Sutherland/Evelyn Hamilton, and if required, he will raise the issue with interagency ADMs at the Joint Steering Committee.**
- ACTION: Evelyn Hamilton and Dave Trotter to forward all policy papers / proposals regarding Agroforestry or NTFPs to PAC for review and comment.**

The Sappier-Grey Court Decision - Garry Merkel

- Garry Merkel brought this to PAC attention for their information. (*see weblink* - <http://www.thecourt.ca/category/case-name/sappier-gray-2006/>)
- Decision provided that Aboriginal Right extends to timber, including wood for building, fuel, etc.

6. PAC Meeting with Minister Coleman

PAC Strategic Framework - Garry Merkel, PAC Co-Chair

- PAC wanted to ensure that the level of their advice and recommendations were hitting the mark.
- The PAC focus has been on FRPA, however, PAC feels it may be more effective if it expands its scope to consider other high level policy issues, and asked if the Minister agreed with this direction? (e.g. Ministry of Forests and Range could bring issues to PAC for advice as they review current policy, etc.).

Report to Minister on PAC Priorities - Garry Merkel, PAC Co-Chair

Culture shift from a prescriptive regime to a results-based model

- Some PAC members are concerned that it may not be happening quickly enough.
 - Small operators (woodlot and range licensees) are having a difficult time getting to a result-based model because decision makers still want to see specific measures in Woodlot Plans, Range Use Plans and Range Stewardship Plans
- PAC believe that issues have arisen because the MFR C&E are challenged by their need to continue to operate under both Forest Practices Code and FRPA.
- PAC has discussed the FRPA governance structure, and is considering whether there are any responsibility issues under the FRPA framework (e.g. GAR Orders (ILMB) and FSPs) that need to be reviewed.

Note: PAC advised the Minister that they are continuing to monitor the culture shift and may communicate on this in future.

Professional Reliance

PAC advised the Minister that Brian Robinson had presented on the work being undertaken by ABCFP around professional reliance at yesterday's session, and discussed some of their perceptions:

- Big licensees have FSPs in place, but have used the defaults, rather than being as innovative as they might have been.
- C&E is struggling with enforceability under the FRPA framework. PAC noted that a results based model doesn't provide for enforcement.
- PAC raised some issues around FRPA dispute resolution process, and although the ABCPF has an internal process for its members, PAC still believes that there is a need for clarification regarding professional differences in opinions, etc., between the different professions.
- The PAC is considering whether the professional reliance designation under FRPA has been sufficiently developed yet.

Note: PAC continues to give consideration to issues around professional reliance and some recommendations for next steps may follow.

FRPA/MPB Interface

- PAC has spent considerable effort to understand the issues and they are continuing to pay attention to this.

Note: PAC had no recommendations on the MPB strategy at this time.

Forest Stewardship Plans

- PAC has discussed the FSP approvals / implementation issues at length, and there are mixed opinions around the table.
- PAC has requested further research / analysis, which is underway, and will provide a better understanding of the issues and concerns that have been raised.

Note: PAC had no comments or recommendations at this time.

Worker Safety

- All members of the PAC share a common interest in safety; however, consensus has not been reached regarding whether there should be a safety objective under FRPA.
- PAC would like to be assured that safety is identified as a high priority for ABCFP members.

Note: ABCFP By-law: Code of Ethics 3.10:to have proper regard in all work for the safety of others.

Agroforestry and Non Timber Forest Products

- PAC views these initiatives as opportunities to increase the benefits that are available from the forests of BC.
- Links to Environmental Issues - PAC noted concerns around trespass issues and the need to ensure activities are carried out in a manner that does not create damage on the land
 - PAC will explore whether a FRPA objective related to unacceptable practices be considered (similar to how the off road vehicle issues have been managed)

Note: PAC has asked for further analysis to see if FRPA provides flexibility to enable added benefits, and may wish to provide some advice in the future.

Invasive Plants

- PAC understands that forestry alone cannot deal with the invasive plant issues, these issues are on a larger scale, and a coordinated approach is needed.
- PAC has asked for further research/analysis to look at whether FRPA can accommodate such an approach and notes that the Interagency Weed Committee needs a champion at the executive level.

Note: PAC has requested Jim Snetsinger raise the need for an executive level champion for invasive plants (IMIPWG) with interagency ADMs.

Minister Coleman reply to the PAC regarding Invasive Plants:

The MFR provided some funding to MOE, and if it is deemed necessary, the MFR would look at other ways to address issues.

Minister Coleman Informs PAC on his High Priority Issues

Coast Strike

- Minister Coleman advised that this was his top priority, however, he advised that the dispute had to be resolved without government intervention.
- Minister Coleman advised that as they move to harvest 2nd growth, there will be a need to modernize.

Northwest Strategy

- Minister Coleman discussed the need for funding to improve the roads, so logging trucks can safely get the logs out.
- Minister Coleman reported on alternate harvesting practices that are used in Finland, and noted that there may be some learnings that our forest industry can take advantage of.

Interior Forest Operations

- Minister Coleman advised that he is looking at opportunities to make the interior forest industry sustainable.
 - there are fibre / cost challenges that need to be considered.
 - forest industry (both interior and coastal) need to have competitive product and be ready to do business in the global market.

Mountain Pine Beetle

- Minister Coleman discussed the need to explore opportunities both in the immediate and for post MPB timeframes.

Professional Reliance under FRPA

- Minister Coleman noted many of the issues link directly to culture shift, as PAC had previously identified as a concern.
- Minister Coleman also talked about the need to change how we think about timber, and the timber that we are harvesting and the timber that is left behind.

Note: Minister Coleman requested PAC stay focussed on the culture shift / professional reliance issue and provide any advice they can around this issue.

Ungulate Winter Range / Mountain Caribou

- This is a high priority issue, receiving media attention that is not always factual.

Note: Minister Coleman specifically requested PAC to provide advice regarding this file.

Agroforestry / NFTP

- Minister Coleman noted that these areas provide opportunities for our landbase and some of these (e.g. tree planning) may link with carbon sink and bioenergy issues.

Bioenergy

- Opportunities around power over the long term (e.g. 30 – 50 years) are being explored by the BC Utility Commission.
- The Ministry of Forests and Range is exploring options to modernize its regulations to enable change.
- Minister Coleman would like to see Canada lead in this area.

Worker Safety

- Minister Coleman acknowledged that PAC has provided some important information in their previous communications, and he is aware of the analysis underway as they continue to consider the various options to help improve forest worker safety.
- As the industry moves to harvesting 2nd growth stands, industry will adopt more mechanized harvesting practices, which in turn will mean a safer work environment.

Note: Minister Coleman asked PAC to provide further comments or advice following the results from the analysis that is currently underway.

7. FREP Safety Report - Peter Bradford / Marg Shamlock

FRPA Provisions Related to Safety

- Marg Shamlock provided a detailed list of FRPA Provisions related to safety (see attached)

Review and analysis of the impacts on Worker Safety related to the planning and design of partial cutting, wildlife tree retention and forest road building in British Columbia

- Peter Bradford explained how the analysis was carried out and led a discussion with PAC on the recommendations that were offered to ADMs Safety Committee for consideration when developing the Action Plan for Forest Worker Safety. (Dave Francis, Strategic Leadership on Safety has been appointed to lead the Forest Service Safety Strategy)
- Some key areas were highlighted, such as formal training, workshops, communication, formal pre-harvest safety meetings, collaborate approach for road use through "Road Use Agreements", among others.

ACTION: PAC to finalize their review of the report and forward final comments to Peter Bradford before Oct. 18, 2007.

Note: Further analysis of issues linked to safety and forest management (e.g. appraisals, pricing, revenue, etc.) is currently underway and will be reported to PAC to assist them in any advice or recommendations they may wish to provide the Minister regarding Forest Worker Safety.

8. PAC Next Steps

Forest Worker Safety

- PAC sub-working group undertaking further analysis and will report out at next PAC meeting Feb. 7-8, 2008.
- PAC members will provide review and comment on the FREP Safety Report.

Biofuels

- The Forest Act will be amended to include Biofuel (targeted for Spring 2008) but does FRPA allow for Biofuel?
 - Will managing for biofuel affect stocking standards?
 - We will need to understand if there are impediments under FRPA
- Industry / licensees will need some incentive to consider conversions from timber to biofuel
- There needs to be a benefit to the people of British Columbia.

ACTION: Biofuels to be topic for discussion at future PAC.

Topics for Further Discussion at Future PAC Teleconferences and Meetings

The PAC has identified several topics that they wish to discuss over the next few months. Topics to be scheduled as items on upcoming Agendas:

- Agroforestry / Non-timber forest products – Status update on policy analysis and other related issues.
- Range/Forestry interface issues – Update on the review of range and forage management issues arising from FRPA that was undertaken to help guide FRPA legislative and implementation activities over the next several years.
- Biofuel - Implications/impacts on the landscape and other FRPA related issues around managing for Biofuel.
- Overall effectiveness of FRPA (including FRPA communication strategy, public/stakeholder involvement, professional reliance, etc.)

Please visit the PAC website at <http://www.for.gov.bc.ca/code/pac.htm>