

**PAC Meeting  
March 12-13, 2009  
Key Issues**

**Minister's Forest and Range  
PRACTICES ADVISORY COUNCIL (PAC)  
Galiano Room  
Grand Pacific Hotel  
Victoria, BC**

**PAC Members**

**Attendees:**

Randy Chan  
Bruno Delesalle  
Shannon Janzen  
Peter LaRose (Mar. 12th)  
Brian McNaughton  
Kim Pollock  
Roy Nagel

**Gov't Representatives**

**Attendees:**

Pat Bell, Minister (Mar. 12<sup>th</sup>)  
Jim Snetsinger, Co-Chair  
Ian Miller  
Shirley Turcotte, PAC Secretariat  
Marg Shamlock  
Jodie Kekula

**Presentations by:**

Brian Westgate  
Lisa Levesque  
Dave Maloney  
Nick Crisp  
James O'Hanley  
Tom Niemann  
John McClarnon  
Lorne Bedford

**Affiliation**

Major Licensees (Interior)  
Grasslands Conservation Council of BC  
Major Licensees (Coast)  
COTA  
Federation of BC Woodlot Associations  
United Steelworkers  
CILA & PAC Rep. for ILA & NWLA

Ministry of Forests and Range  
Ministry of Forests and Range  
A/Director, Forest Practices Branch, MFR  
Ministry of Forests and Range  
Legislation and Policy Specialist, Ministry of Forests and Range  
Range Legislation & Policy Officer, Range Branch, MFR

A/Lead, Provincial FRPA Implementation Team  
FREP Research Officer, FREP IRS, Forest Practices Br., MFR  
Tech. Advisor, Watershed Sc., FREP IRS, For. Practices Br., MFR  
Exec. Director, Business Development Br., Oil & Gas Div., MEMPR  
Dep. Commissioner, Proj. Assmt & Compliance Assurance-FSJ, OGC  
Director of Climate Change and Forest Carbon, MFR  
Forest Stand Establishment Officer, Forest Practices Br. MFR  
Manager, Harvesting and Silviculture, Forest Practices Br., MFR

**1. Welcome - Jim Snetsinger**

- New PAC representative, Shannon Janzen, Major Licensees (Coast).
- Welcome back from retirement to Roy Nagel, as PAC Representative for CILA, ILA and NWLA

**2. PAC Business**

- Agenda Review - Minister Bell will attend 9:00 – 10:00 a.m.
- PAC Oct. 7-8 Key Issues – Posted ( see <http://www.for.gov.bc.ca/code/pac.htm>)
- PAC Annual Report 2008 – Draft out for PAC review and comment

**ACTION: All PAC comments direct to S. Turcotte prior to end March 2009 for finalizing for Minister and posting to PAC Website by end May, 2009.**

**ACTION: Teleconference to be arranged for final PAC Annual Report 2008 - Approval**

**3. Legislation Updates:**

Range Regulation

- A meeting Feb. 11th in Cranbrook provided information to Range Licensees to increase understanding for RSP issues.

## Forest Planning and Practices Regulation

- Amendments were made to support the Forests for Tomorrow Program (FFT)
  - The Timber Sales Manager is exempt from free growing obligation when BCTS issues a Timber Sales Licence (TSL) for the purpose of preparing the site for reforestation by the FFT program.
  - The minister is exempt from free growing obligation when a Forest Licence To Cut (FLTC) is entered into in association with a contract for preparing the site for reforestation by the FFT program.
  - First Nations directly awarded a FLTC for the purpose of preparing the site for reforestation by the FFT program is exempt from preparation of an FSP.
- These amendments support implementation of new licence agreements, used in conjunction with site preparation contracts, to rehabilitate young stands killed by fire or MPB and utilise the fibre where possible as per ministerial direction. This will also allow the FFT program to treat more area annually.

**Note:** PAC raised concern around oversight for input, and asked that their opportunity for consultation on all FRPA-related amendments be flagged.

**ACTION:** Government PAC representatives committed to ensure PAC Members are advised on FRPA-related amendments and have an opportunity to be included in the consultation process.

## **4. Minister Bell - Informing PAC on his High Priority Issues**

*Note Agenda Item #4: PAC Focus for 2009/10–Assessing achievements of goals and assumptions for FRPA – Deferred (PAC’s immediate attention will now focus first on any direction from Minister Bell – and may defer discussion re “assessing achievements of goals and assumptions for FRPA”.)*

- **Minister’s Updates on PAC Recommendations**

Minister Bell provided comment to PAC several topics that PAC reported on over the last year:

  - Working Roundtable on Forestry
  - Forest Worker Safety
  - Minister’s Goals
- **Forests for Tomorrow** – Minister Bell noted that every effort is being made to make the best use of available funds to rehabilitate mountain pine beetle affected sites. Several legislative amendments have been made to enable innovative approaches around biomass / roadside debris.
- **Bioenergy / Biomass** – Minister Bell believes that various initiatives beyond the traditional lumber and pulp and paper products (pellet fuel and electricity, etc.) and a more effective use of biomass should help create more jobs across the province (bush haulers, tree planters, etc.).

## Minister Challenges PAC Members to provide recommendations / advice

- 1) *Residual Biomass* - How to decide the most logical approaches for allocating resources that will result in the most economical choices for using residual biomass? How best to make biomass available? Should government direct all funds available into one option, or divide between two or three options? Minister Bell noted that he sees BC future grouped between four industries: softwood lumber; pulp and paper; bioenergy; and growing trees.
- 2) *Timber Supply / Tenure Issue* (Note: outside PAC mandate) – The Minister advised that the data that is collected through BCTS is most important to him. There is some pressure to shift wood and/or area from BCTS operating area to First Nations and/or Community Forest Tenures while still maintaining economic data to support provincial Timber Pricing.
- 3) *Commercial Forest Reserves* – there is a strong desire by the public to manage the resources around their communities. Government has made some attempts in the past (e.g. Working Forests) however, were not successful. Minister Bell believes by working in a collaborative

fashion there are opportunities to identify high growing areas, carry out increased silviculture activities that will ensure the highest values can be taken out of those areas, while maintaining a light footprint on the remaining landbase.

- 4) *Discussion Paper* – Expect to release a discussion paper on silviculture activities in the next two or three weeks that will discuss intense silviculture management (e.g. advanced silviculture / incremental activities past free growing phase). Minister Bell specifically asked PAC members to review this discussion paper and provide advice around such questions and whether government is getting the best results for funds invested, direct links between activities and results and would there be any benefits gained from legislative changes?

#### PAC Discussions with Minister Bell

Discussions included:

- “Living with Wood”; solid wood (lumber); bio-energy / carbon credits and electricity generation led Minister Bell to ask PAC to consider under a cost lens;
- Non Timber Forest Products / other environmental revenue streams - impacts / risks to the provinces core industries must always be considered prior to making decisions;
- Forests vs. Range issues - grassland value be considered in all PAC discussions / recommendations;
- Forest Worker Safety - various pieces of work are underway. MFR staff will review the recommendations in the Auditor-General’s Report and provide PAC with an update on the elements that have not yet been implemented.

**ACTION: MFR to review the Auditor-General’s Report and report back to PAC on any of the elements that have not yet been implemented.**

#### **5. PAC Focus for 2009 / 10 - PAC examined and prioritized the Challenges from Minister Bell and discussed other items:**

- 1) Review and comment on Silviculture Discussion Paper - include Carbon / Cap & Trade
- 2) Provide comments on the Commercial Forest Reserve
  - potential and possibilities
  - investing funds to grow better trees

**Note: Linkage b/n Commercial Forest Reserve and the Silviculture Discussion Paper.**

- 3) Provide comments on Bioenergy-related issues including:
  - i) Tenure
  - ii) Term
  - iii) Balance between potential uses
  - iv) Uses: Ethanol, Pellets, Electricity, others.

**Note: Need to consider whether there are practices implications?**

**ACTION: PAC believes outside PAC Mandate. Chair will follow up with Minister Bell and ask direction if this PAC should take on as a priority for PAC and if so, PAC will do so.**

- 4) Provide comments on Shifting Wood and / or Area from BCTS operating areas to First Nations and / or Community Forest Tenures while still maintaining economic data to support Provincial Timber Pricing.

**Note: Data is important for Minister’s needs. Also, consider linkages to First Nations**

**ACTION: PAC believes outside PAC Mandate, this is a Timber Supply / Tenure issue.**

- 5) FRPA Continuous Improvement
  - i) FRPA Goals and Achievement
  - ii) Strategic direction
  - iii) Compliance and Enforcement
  - iv) Brian Nyberg Report
- 6) FRPA Regulatory Framework
  - i) Leg. / Reg. Amendments
  - ii) MFR Act
  - iii) Forest Worker Safety
- 7) Strategic Initiatives
  - i) Trail Strategy
  - ii) Open Burning / Smoke Control Regulation
  - iii) Living Water Smart

## 6. **Information for PAC:**

### Ministry of Aboriginal Relations and Reconciliation (MARR)

- MARR has posted a Discussion Paper on their website which may have some impacts on FRPA, entitled *Discussion Paper on Instructions for Implementing the New Relationship* (for information, please see <http://www.gov.bc.ca/arr/index.html> )

## 7. **Forests for Tomorrow Program: Overview – John McClarnon / Kelly Osbourne**

### (i) FFT activities include:

- Surveys
- Cone Collection
- Danger Tree Assessment and Falling
- Site preparation
- Planting
- Restoration (i.e. of highly impacted community watersheds)
- Brushing

(ii) ***Innovative Tenures:*** Tenures are one of the tools that FFT can use to lower rehabilitation costs to reforest impacted areas and provide opportunities to utilize fibre. The Innovative Timber Sales Licenses Initiative (ITSLI) is a cost-sharing agreement with BC Timber Sales (BCTS) to target MPB, pulp or other low quality stands for fibre recovery and reforestation. A Forestry License to Cut (FLTC) may be issued to the holder of a FFT site preparation contract, to remove dead or damaged timber stands from areas to be reforested by FFT.

### PAC Concerns/Issues

**FFT Program** - Integrity of market place / unbalanced competitiveness concern (primarily re sawlog / hog fuel) b/n BCTS and small scale operators.

***Response:*** Government will discuss opportunity for expanding FFT to Community Forests / Woodlots, and the implications related to the capacity of small operators to manage, etc.

**FFT Program / Forest Worker Safety** – Fostering culture of safety, training, etc. within FFT Program.

***Response:*** FFT Program representative committed to review FREP Safety Report.

### Other Considerations Flagged by PAC:

- Tree Growing vs. Tree Harvesting – could the two concepts for tenure be captured under 2 different licences? Also other benefits-e.g. carbon, etc.?
- Privatization issues linked to Tenure – have they been considered?
- Silvopasture – Component to bridge b/n Forests and Range and Grasslands interface – need to recognize other values.
- Ecosystems (e.g. benefits of silviculture activities besides fibre – e.g. benefits for wildlife need to be considered.

### **8. The Oil and Gas Activities Act (OGAA) – Nick Crisp / James O’Hanley**

- Responsibilities:
  - MFR – Tenuring and regulates industry
  - MEMPR - Tenures
  - OGC – Crown Corporation as regulator (administers legislation, permits, approvals)
- Where possible OGA is looking to harmonize with Alberta

### PAC Concerns/Issues

How are the Area Based Forest Tenure / FRPA requirements managed by OGGA?

**Response:** *All minimum FRPA standards are met (e.g. soils, water quality, CWD, etc.)*

What is the Consultation process with licencees?

**Response:** *For example: Woodlot Owners have a Notification Requirement “Party to be Notified” - therefore where licence owners have requested consultation, then they are notified.*

How is Worker Safety managed under OGA? Public Safety? It is important to have safety addressed during the implementation phase, not at the end “result” phase.

**Response:** *Safety requirements are in place through WCB, Operational Health & Safety (Public safety issues are included through existing legislation e.g. Environmental Air Quality Act, depth requirements for pipelines, etc.)*

### **9. Range Presentation – Jodie Kekula**

Nyberg Report: Items in the report were categorized and identified for follow-up:

Working Relationships / Trust between MFR Range Staff and Range Licensees (*Item #1*)

Causes:

- Ministry range staff were reduced during government downsizing
- Change in legislation to results based model

**Response:** *A Working Group was formed to address relationship issues the ground level.*

Information Sharing between Licensees (*Item #1*)

Causes:

- There was a reported lack of communication between range licensees and forest licensees
- Range plans are currently not shared at the time of approval

**Response:** *Working Group is taking a two-prong approach*

- *Ways to provide information are being identified and implemented*
- *Actively encouraging range licensees to share information*

C&E for Range (*Item #12*)

Causes:

- Range licensees feel “threatened”

**Response:**

- *Steps are being taken to try and hire range agrologists in District Offices*
- *Lack of uptake for use of the Range Info-Flip is being investigated*

### Training (Item #13):

#### **Response:**

- Guidance / Training & Extension Programs are being planned through FREP Program
  - Developing policy / MOUs / Strategic direction for contributing to other legislations
  - Range Br. is involved with “anything not trees”, assists with monitoring, inspections, etc.
- Invasive Alien Plant Program: Identification
  - data collected and provided via on-line data base, identification / information used for treatment and weed control
- Range “Schools” – to provide class room approach to deliver information across BC

### Implementation (Item #14)

#### Causes:

- Districts are not provided equal messaging regarding Range Use Plan
  - need to address differences to ensure consistent messaging.

**Note: The Forest Practices Board recommendations will provide direction for Range Planning and Practices Regulation.**

#### **Response:**

- *Forest Practices Board is considering comparing differences in content between Range Use Plans and Range Stewardship Plan (note only one RSP approved to date)*
- *Range licensees believe strategies work better for them than results.*

### Communication across agencies (Item #15)

Cause: MFR “command and control” approach

#### **Response:**

- *Promoting x-agency teams*
- *New joint delivery model – grazing leases are under Land Act / ILMB hold data system*
- *Ecosystem Restoration – Range Branch staff (led by G. Anderson) working with ER Team*

**Note: As PAC have expressed interest in learning more about how the ER Strategy works with the FRPA model, this topic may be scheduled on a future PAC Agenda.**

### Natural Range Barriers and Fences (Item #6)

#### Causes:

- Range licensees reported damages from logging (MPB affected areas)

#### **Response:**

- *New Bulletin will be releases soon regarding Section 48*
- *Most MPB affected area maps now completed. Natural range barrier information is not on the LRDW, however, it is available by contacting the local district offices.*
- *New separate bulletins required re: Sec. 51 / Range Development*

### PAC Concerns/Issues

PAC reported some similarities / differences experienced between Range and Woodlot Licensees:

- Woodlot Licensees report the results based approach is still not being practiced by MFR staff
- Suggested Range staff explore use of “odour bait” as deterrent to keep cattle from certain areas
- Legislative Issue – Forage Objective in FRPA – there is nothing in FRPA to protect forage
  - RPPR amendments targeted for fall 2009.
- Communication/Collaboration on policy development –workers / unions not involved.

- Many Woodlot Licensees are also ranchers
  - these licensees report information provided via “reading material” / “internet” not preferred tool
  - these licensees prefer “in-person” explanation as means for learning new information

**Response:** Government acknowledged that large licensees have greater capacity to manage training needs than the small operators, however, training must be delivered within government’s capacity / resources.

## 10. FRPA and Forest Worker Safety – Marg Shamlock

- *Ministry of Forests and Range Act* – Possible amendment to the mandate – targeted for 2010 legislative sitting.
  - part of core business and will set out duty to both public and all forest and range workers around safety (sets importance, raises awareness, promotes shift in culture, etc.) consistently across province
- Safe Companies Initiatives / joint inter-agency committees
  - e.g. Work Safe BC; Road Maintenance Committee, etc.
- *Workers Compensation Board Act* - PAC had raised a question around MFR C&E authority? As previously noted by Dan Graham, MFR does not have authority to enforce that Act. However, there is authority for District Managers under FRPA section 22.2 (2) to close roads for the purpose of public safety or remove a vehicle or animal from the road that is likely to endanger life.

## 11. Climate Change and Forest Carbon – Tom Niemann

*Climate Action Plan* -Goal is to be carbon neutral by 2010, reduce emissions 33% by 2010

*Carbon Action Secretariat (CAS)* now moved under MOE, mandate is still x-agency.

*Forest Sector Climate Action Steering Committee (FSCASC)*

- Co-Chairs: Jim Snetsinger and Ric Slaco
- representatives primarily from MFR, MOE and CAS
- group focus is on solutions, scope out what can be done, and make recommendations for future use of wood, etc.

*Zero Net Deforestation*

- goal is to achieve zero net deforestation by 2015
- policy development will be undertaken over next few months with x-agency and external (First Nations, UBCM, Industry) participation

**Note:** *J. Snetsinger noted need to integrate MFRs position regarding carbon sequestration and how it fits within the forests and range strategic priorities.*

**Note:** *Range is included in the Future Forest Ecosystems Initiative.*

### PAC Concerns/Issues

- Communication/Consultation: e.g. Community Forests – how can they ensure they are consulted?
- Forest Ethics – newspaper puts their slant on central coast solution, need to get ahead of “flawed” messaging
- Government and Industry are at table, need to include other sectors to get “buy in”
  - e.g. Woodlot licensees need to understand their “rights to carbon credits” and range and grassland licensees need to be included.
  - range holders want to be “proactive”
  - Forest Ecosystem Committee is in place and needs to be included.

## **12. FREP – Water Quality Monitoring – Dave Maloney**

- Licensees wanting to apply for certification are interested as the FREP Process provides usable procedures / methodology.
- Licensees can apply to do work under FIA funding.

### PAC Concerns/Issues

- PAC raised importance of communication for all licensees (industry and small licensees)  
*Response: FREP Program is currently focussed on building a “tool box” for staff that will enable them to inform licensees.*
- Training - PAC advised that possible opportunities to provide communication / training may be through established province-wide groups (e.g. TSA Steering Committees, Woodlot and Range Committees, etc.).
- PAC noted that small operators, e.g. Woodlot licensees, are reporting that some C&E staff are still operating at a level that is too detailed for a results based model.

## **13. FREP – CHR Presentation – Lisa Levesque**

Focus of work to date:

- Improved working relationships with First Nations at the district level.
- Field monitoring to evaluate impacts of forestry activities on site-specific and geographically defined CHRs only (not assessing landscape level concerns e.g., wildlife abundance and availability).
- First Nations will be directly involved in field monitoring in their traditional territories via site selection and data collection.
- Expected outcomes include: increased knowledge and use of mutually acceptable CHR management strategies, improved accountability amongst professionals for loss or damage to CHR and increased awareness of First Nations CHR management priorities at a local level.

### PAC Concerns/Issues

- PAC members flagged that there is a lack of information / inventory to assist in identifying CHR on the landbase.
- Provincial standards are required and training (including FN) is also needed.

*Response: L. Levesque advised that there is some work being done to have standards and training included as a FIA fundable project. Licensees could apply for FIA funds to hire First Nations undertake TUS work, etc.*

## **14. PAC Next Steps:**

- 1) 2009 PAC Field Tour – Vancouver Island, near Campbell River to discuss how silviculture and forest activities related to FRPA are being managed on the coast. The tour will be designed to provide information and improve understandings that will enable PAC members to provide informed input to the Discussion Paper: Growing Opportunities - A New Vision for Silviculture in BC, and in forming any recommendations / advice that they may wish to provide to the Minister.