

**Cariboo Forest Licensees**

**Proposal for Piloting of Forest Practices  
Concept Paper**

**Working Draft 5a**

**Submission to:**

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## **Introduction**

This document outlines the conceptual framework for the results-based pilot being developed by licensees in the Cariboo Forest Region (the licensees). All of these licensees achieved Code compliance results that place them in the top tier of forest companies in terms of proportionate compliance with the Code.

The Cariboo Lumber Manufacturers' Association (CLMA) is facilitating and co-ordinating the development of this pilot. Upon approval of the conceptual framework by BC Environment and the Forest Service, the licensees will develop a detailed proposal, which will describe the specific changes in statute and regulation that are being proposed for the pilot. The detailed proposal will be submitted to the two ministries for review and comment.

## **Proponent**

Each of the forest companies in the Cariboo Forest Region have expressed an interest in this pilot. The pilot is being developed by a Steering Committee comprised of representatives of the licensees and staff of the CLMA.

Licensees anticipating participation are listed in Appendix A. Final participation in the pilot will be determined before the submission of the detailed proposal.

## **Goals of the Pilot**

The licensees propose that this pilot pursue the following objectives:

- a) maintain and where practical enhance the quality of forest management in order to pursue environmental sustainability, community stability and economic security;
- b) meet the targets and objectives of the Cariboo-Chilcotin Land Use Plan (CCLUP);
- c) provide opportunities for involvement in forest management planning for First Nations and stakeholders;
- d) introduce fundamental improvements to the regulatory framework that significantly decrease administrative costs to industry and resource ministries. This includes piloting new aspects of the regulatory framework as well as revising existing aspects; and,

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- e) shift administrative effort in industry and resource ministries from managing processes to managing for values.

### **Pilot Principles**

The licensees propose that the pilot embrace the following principles:

- a) operate within the context of the Cariboo-Chilcotin Land Use Plan;
- b) operate the pilot within the commitments between industry and community representatives and the Premier at the Premier's Summit held at 108 Mile during May 1999.
- c) recognize that resource agencies and the Forest Practices Board will continue to have an active role in evaluating forest management. This role will shift more towards auditing for results rather than assessing compliance with standard planning and field rules;
- d) pursue fundamental and significant changes to and introduce new aspects in the forest regulatory framework, particularly with regards to operational planning;
- e) implement changes in phases over five years to allow the public, resource agencies and the forest industry staff to become familiar with changes;
- f) involve as many licensees as possible in the pilot. This will broaden the exposure of industry and resource agencies' staff to the pilot and provide more sources of feedback on the results of the pilot;
- g) provide opportunity for the public, resource agencies and the industry to monitor and assess the benefits and implications of a results-based model;
- h) select "results" that are relatively clear, readily measurable outcomes and conditions and relevant to the public;
- i) carry out planning in a manner which is consistent with the provincial government's policy regarding consultation with First Nations';
- j) recognize overall that this pilot involves the testing of new approaches and that open and honest communication and feedback between resource agencies, the public and the forest industry is essential;
- k) there will be no financial impacts on licensees not participating in the pilot,

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- l) experience gained through the pilot will be shared with and transferred to other licensees and other stakeholders in order to broaden the base of participation.

### **Management of the Pilot**

The licensees propose to establish a Steering Committee to oversee the project. This Committee will consist of a senior manager or designate from each of the companies participating in the pilot.

The Committee proposes to involve resource agencies in the following manner:

- Discussion of strategic and broader pilot policy issues: meet with the Statutory Decision Makers (SDM) group as needed; and,
- Discussion of implementation issues: meet with the Timber Harvesting Development Committee (THDC) as needed.

Note that neither the Steering Committee nor its meetings with SMD or THDC would not replace the statutory authority of agency staff.

### **Role of the Public in the Overall Pilot**

In accordance with section 3 (a) of the enabling legislation regarding results-based pilots, licensees will make a copy of the detailed proposal available to the public. This will provide them with an opportunity to comment on the overall goals and focus of the pilot.

We recognize that goals and objectives will be in part drawn from the objectives and targets contained in CCLUP. Accordingly, we will also make a copy of the detailed proposal available to the Regional Resource Board (RRB). We will ask the RRB to comment on the extent to which the activities proposed under the pilot are consistent with CCLUP.

In addition, the results of the pilot including assessments by resource ministries will be made available to the public through the annual report to be provided to the Minister of Forests.

### **Pilot Proposal**

The licensees propose fundamental changes to the regulatory framework in the following areas:

- implement a one-plan concept using a forest-level plan which has been initially and tentatively entitled the “Forest Stewardship Plan”; and,

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- shift towards in-field practices based on environmental values and risks.

The one-plan concept would commence as soon as the detailed proposal is approved by resource agencies. As well, work on determining results which would drive results-based practices would begin as soon as the detailed proposal is approved. In this way, licensees can begin to work with agencies' staff to determine where current practices should be revised to focus on results.

The key aspects of these two areas of changes are outlined below.

### **Forest Stewardship Planning**

Companies will develop a multi-year strategic plan (tentatively referred to as the Forest Stewardship Plan (FSP)) covering all forest activities for up to five years. The FSP will describe how the company will manage for environmental and social values including community stability, employment generation and First Nations involvement. It will identify specific measurable outcomes, which the company will commit to.

#### Nature of the Forest Stewardship Plan

The FSP will demonstrate how a company will achieve the outcomes and targets contained in CCLUP. This includes outlining a strategy to balance environmental sustainability, economic security and community stability and address issues relating to balancing these three elements. The FSP will demonstrate how proposed harvesting and road construction will maintain this balance.

FSPs will focus at the landscape or forest level. This will facilitate tie in with CCLUP and landscape unit plans.

FDPs will not be prepared for areas covered by FSPs. As well, FSPs will not contain site level information or describe practices for specific blocks or stands. Companies will continue to prepare site level harvesting and reforestation plans and will forward them to resource agencies for reference and record keeping purposes. Agencies will not review site level plans and each licensee will be responsible for the format and content of such plans.

Licensees will have the flexibility to shift the location of road development and harvesting between years within the timeframe covered by the FSP. The concept of the FSP is to discuss development issues and strategies over a multi-year perspective, not year by year.

The licensees recognize that the Code framework outside of the pilot may itself evolve over time. It proposes that FSP content, review and amendment requirements will not be affected automatically by changes to Code or other legislation. Such changes will be taken to the licensee Steering Committee to determine the extent to which they should be incorporated into the planning framework established by the pilot.

### Public Involvement Regarding the FSP

Consistent with section 3 (c), stakeholders will be involved in reviewing FSPs and the achievements of targets outlined in the FSP.

The public review and comment process relating to FSPs will be focused on the proposed strategy and outcomes. Key aspects of the public review and comment process regarding FSPs include:

- consultation with First Nations shall comply with the provincial government's consultation policy;
- public consultation will focus on demonstrating how the forest management strategy will meet environmental and social values and address specific stakeholder issues;
- requests for additional information regarding the FSP from resource agencies will not be included as part of FSP and hence it will be clear that this information is not required for referral or public review;
- public and agency comments regarding FSP objectives and strategies will be summarized. As well, companies will discuss how they considered and addressed these comments; and,
- companies will undertake assessments or studies based on the issues and strategies identified in the FSP.

### Role of Resource Agencies Regarding the FSP

The Forest Service will review and approve the FSP. BC Environment will continue to have joint approval for aspects of the plan covering areas where the current Code or CCLUP calls for joint approval. For other areas of the plan, the Forest Service will be responsible for referrals to BC Environment and obtaining and integrating their comments.

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Agencies' comments and requested changes will be limited to the target outcomes and the strategy to achieve the outcomes. They will not comment on the wording or format of FSPs or recommend specific practices.

To reduce administrative effort on the part of line ministries and licensees, the emphasis of line ministries will shift from reviewing site level plans and carrying out inspections to conducting periodic assessments of the achievement of outcomes described in the FSPs. We anticipate that assessments will be carried out on an annual basis.

As assessments will be the key oversight function carried out by resource ministries in the field, we recognize that the ministries may wish to invest significant time and effort into developing assessment protocols.

We anticipate that agencies would do fewer inspections under this model. However, during the year, agencies would likely carry out spot inspections to ensure that progress is being made towards achieving outcomes. The results of these spot inspections could be incorporated into their assessment work. In the event of non-performance regarding outcomes, resource ministries will continue to have a mandate to carry out enforcement activities.

Reduced administration is a major incentive for better performance. The overall goal is to improve forest management. However, the licensees recognize that to be effective and credible to the public, the pilot must contain performance measures and sanctions for non-performance. The hierarchy of sanctions would be determined in discussions with resource agencies.

Forest Practices Board audits and investigations will be limited to assessing the achievement of outcomes.

### **Results-based Practices**

Once the detailed proposal is approved by resource agencies, licensees will begin to work with agencies on confirming or identifying the results which in-field practices are intended to achieve. Throughout the pilot, companies will follow the in-field practices necessary to maintain environmental values including those relating to road and bridge construction, harvesting and reforestation practices. Where companies and agencies identify practices that can more economically achieve these results, in-field practices will be revised.

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Throughout much of the Cariboo, foresters, engineers and biologists who work with licensees find that in many cases, the practices prescribed by the Code Act and regulations, as well as guidebooks, may not be the most effective and economic means to balance environmental sustainability, community stability and economic security in the Cariboo and achieve CCLUP targets and objectives. To a considerable extent, the rules often result in a “one size fits all” approach to forest management and are not tailored to the specific issues and desired results in the area.

The licensees would like to develop with resource agencies in-field practices that are commensurate with the environmental and social risks and issues found in the areas covered by this pilot.

Industry recognizes that such practices cannot be implemented quickly. They must be developed based on meeting the stated management objectives in the FSP. As well, companies want to demonstrate that they can achieve the outcomes established in the FSP.

### **Overall Pilot Evaluation and Reporting Framework**

As a pilot project, evaluation of the effectiveness of the pilot and the related reporting back to agencies and the public is essential. Licensees recognize that significant effort will have to be invested on their part to collect the data to facilitate evaluation and to work with resource agencies in developing reports to the public.

Consistent with the enabling legislation regarding results-based pilots, licensees will report annually on achievements of the pilot including the progress made towards achieving the objectives of the pilot. Reports will incorporate the results of annual assessments carried out by resource agencies regarding the achievement of targets and outcomes contained in FSPs. These reports will be made available to the public and resource agencies.

After five years, the licensees would undertake an extensive assessment to determine the overall effectiveness of the pilot in terms of achieving the goals outlined in this proposal. Assessments will collect and report data on cost reduction and efficiencies gained by industry and resource agencies as well as impacts on environmental and social values. This information would be reported to the public.

### **Next Steps in Developing the Pilot**

The Cariboo licensees, as discussed at the Premier’s Conference in May, desire to be one of the initial results-based pilot projects. Their goal is to ensure that they begin operating under the pilot regulations by March 2000 or earlier.

The following timelines are proposed:

- report on the status of this pilot to the performance-based workshop of the Cariboo Economic Action Forum (CEAF) scheduled for October 15 and 16.
- submit this preliminary proposal to the Joint Code Steering Committee by October 29.
- complete any revisions to the preliminary proposal by November 12. The licensees will work with regional and head office personnel from the Forest Service and BC Environment to clarify any conceptual level issues relating to this paper.
- Submit a detailed proposal to regional and head office management of the resource ministries by November 25, 1999. This includes submitting the detailed proposal to the Joint Code Steering Committee. The detailed proposal will describe, in non-legal text, the specific nature of the pilot regulations that the pilot under which they will operate.
- Address issues relating to the detailed proposal by December 12, 1999 and obtain pilot approval.
- Submit proposed regulations for the pilot to resource ministries and Cabinet by January 1, 2000.
- Obtain agreement-in-principle from the executives of resource ministries for the proposed regulations by January 15, 2000.
- Obtain Cabinet approval of the pilot regulations by February 10, 2000.

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## Appendix A

### Licensee Participation

Forest Company	Forest License(s) Involved	Geographic Area	AAC Involved
Ainsworth	To be determined		
Lignum	A20018	South Chilcotin	
Riverside	A20015/16	South Chilcotin	100,000
Slocan	A20011	Puntcheskut Lake	
Tolko	A20010	Ernst/Deserters	110,000
Weldwood	TFL #5		117,000
West Fraser	To be determined		