

Fort St. John
Forest Practices Code
Pilot Project

Overview of Pilot Project and
Comparison to the proposed Results
Based Code

June 11, 2002



Overview of the Presentation

- Origin of Code Pilots
- Key Statistics with respect to the Fort St. John Code Pilot
- Fundamental components of the Fort St. John Code Pilot
- Fort St. John Code Pilot versus the RBC
- Recommendations regarding Code Pilots

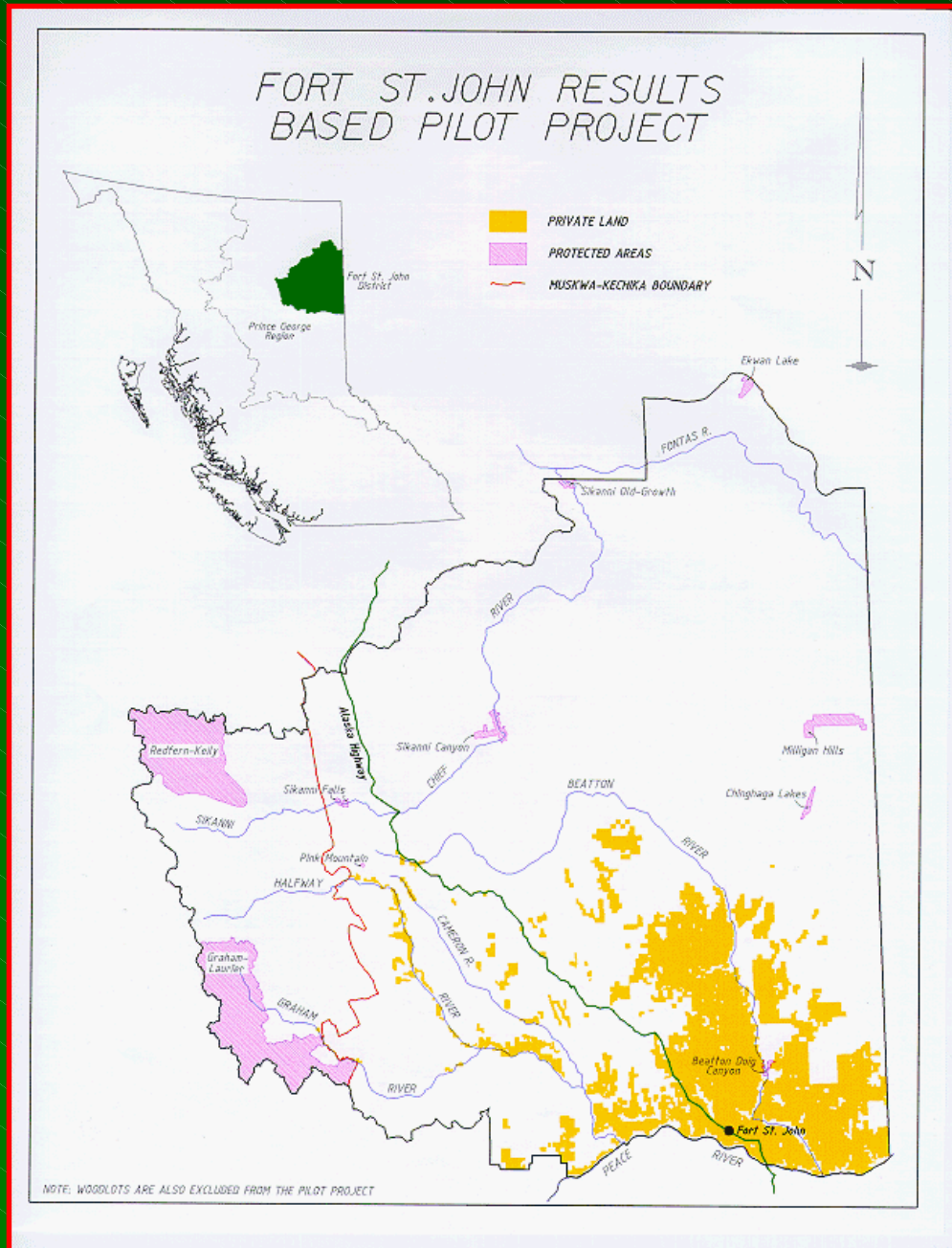


Forest Practices Code Pilot Projects

- Authorized under Bill 82 (1999)
- *FPC* Part 10.1 enables regulations for pilot projects that suspend application of provisions of the *FPC Act*, *Forest Act* and *Range Act*
- Object is to experiment with ways to improve the regulatory framework for forest practices



The Fort St. John Pilot Project will apply to crown land within the Fort St. John Timber Supply Area (4.1 million hectares)



Summary of Pilot Project Volume

(pilot project includes 9.77% of the Prince George Region AAC)

Participant	Tenure Type	Leading Species	AAC (m3 / year)
Canfor	Forest Licence	Coniferous	704,793
LP	Forest Licence	Coniferous	69,085
LP	Forest Licence	Deciduous	193,000
LP	Pulpwood Agreement	Deciduous	18,000
Slocan	Pulpwood Agreement	Deciduous	500,000
SBFEP	Timber Sale Licences	Coniferous	77,218
SBFEP	Timber Sale Licences	Deciduous	80,000
TOTAL	ALL	ALL	1,742.096



Fundamental Components of Project

- Implement strategic landscape level forestry planning through “Sustainable Forest Management Plans” with ongoing public involvement
- Enable legislative and regulatory flexibility to facilitate implementation of adaptive management processes
- Eliminate the requirement for MoF district manager approval of operational plans
- Adopt and implement environmental management and forest certification systems as surrogates for existing administrative process



Proposed Legal Framework

Authority for Decisions

BC Legislature

Cabinet

Government Designated Decision Maker(s)

Participants
(but MoF district manager can disallow)

Forest Act

Range Act

Forest Practices Code Act

FPC Part 10.1



Fort St. John Pilot Project Regulation

Sustainable Forest Management Plan

Forest Operations Schedule

Site Level Plans

Public Advisory Group

Scientific/ Technical Advisory Committee

Public Review and Comment

Public Notification



Forest Operations Schedule

- Replaces forest development plans upon approval of sustainable forest management plan
- Indicates location of proposed forestry operations for a period of six years or more
- Schedule must be consistent with SFM Plan and HLPs
- No approval required but district manager may refuse to authorize activities



Site Level Plans

- New term for *FPC* operational plans (excluding FDPs)
 - silviculture prescriptions, stand management prescriptions, road layout & design and road deactivation prescriptions
- District manager authorization - can disallow activities:
 1. When they may not manage and conserve forest resources
 2. Potential treaty rights infringement
- Participants are accountable for results until declaration is accepted by the district manager



Public Advisory Group

- Established and maintained by participants
- Mandate:
 - *ensure participants forest management decisions...are made as a result of informed, inclusive and fair consultation...*
- Provide input on values, goals, indicators and objectives (targets)
- Must review and comment on SFM plans, audits and annual reports



Public Participation

- Opportunity for public review and comment
 - 90 days for SFM Plans
 - 60 days for forest operations schedules
- Public notification re: upcoming activities proposed in forest operations schedules and site plans
- Public access to records
 - plans & assessments
 - annual reports and results of monitoring and measurement
 - results of inspections and audits



Data Management Component

- Participants will share internet accessible data management platform
- Critical inventory data will be stored in central location
- Electronic reporting to government
- Website communication to public



Fort St. John Code Pilot vs the RBC

Strategic Planning

RBC

- Long term is established by MSRM.
- In transition will be established as a legal requirement by DM.
- Drives RDP content and approval test.

Fort St. John Code Pilot

- SFMP, valid for 6 years, established by participants and approved by RM/RD.
- Establishes management objectives, performance indicators and may be extended or amended.
- May change performance standards or establish different performance requirements.



Fort St. John Code Pilot vs the RBC

OPERATIONAL PLANNING

RBC

- RDP is only required plan.
- RDP can't be extended or amended.
- No SLP's required, but, some periodic reporting is mandatory .

Fort St. John Code Pilot

- FOS required to show 6 years of roads and blocks.
- FOS is not approved and may be amended.
- SLP with flexible content requirements is prepared, must be retained and produced on request and is amendable.



Fort St. John Code Pilot vs the RBC

AUTHORIZATIONS

RBC

- Requires CP, RP.
- First level that shows blocks and roads and may be subject to considerable interest from First Nations and others.
- Legal requirement to notify of commencement, suspension, completion.

Fort St. John Code Pilot

- No CP, RP or RUP required.
- Authorization given by DM if consistent with FOS.
- Authorization may be extended.



Fort St. John Code Pilot vs the RBC

Performance Requirements

RBC

- Results and rules.
- Some previous guidebook material elevated to rules and regulations.
- Limited opportunity for variances and exemptions.

Fort St. John Code Pilot

- Default performance requirements specified.
- SFMP has power to change standard of requirement.
- SFMP contains power to get site specific variances and change entire performance requirement.



Fort St. John Code Pilot vs the RBC

Compliance and Enforcement

RBC

- Similar to current Code
- Unclear as to application of due diligence defence with respect to administrative penalties.
- Removed review process.
- Introduced ability to impose interim corrective measures.

Fort St. John Code Pilot

- Similar to current code.
- Ability for participants to make legal declarations that obligations have been met.
- No ability to impose interim corrective measures.



Recommendations regarding Code Pilots

- Retain existing pilot project regulations
- Additional Code Pilots should be supported by the RBC or associated legislation in recognition of the fact that one of the main intents of the Pilots is “to experiment with ways to improve the regulatory framework for forest practices”



Recommendations regarding Code Pilots

- FPC Part 10.1 (or its future equivalent) should be revised to remove some of the current obstacles to achieving optimum efficiencies and/or operating in a true results-based environment.
- The RBC Discussion Paper should be carefully examined to identify opportunities to incorporate some of the beneficial characteristics of the Fort St. John Code Pilot.

