



REGULATIONS SUPPORT SUSTAINABLE MANAGEMENT

The Forest and Range Practices Act and its regulations establish the rules that govern commercial forestry and range activities on Crown lands to ensure sustainability for future generations.

The introduction of the regulations enables a shift from the prescriptive Forest Practices Code to a more streamlined and cost-effective results-based regime, while maintaining the environmental standards that British Columbians have come to expect.

With the regulations now in place and taking effect Jan. 31, operators may begin planning future harvesting or range activities under the act. Any activities already approved under the existing Forest Practices Code may continue until Dec. 31, 2005. After that, all planning and on-the-ground work must comply with the Forest and Range Practices Act and regulations.

To support the shift to the results-based regime, training will be delivered to nearly 7,000 resource management practitioners in February and March 2004.

Benefits of a results-based approach

The Forest and Range Practices Act is described as results-based because it focuses the attention of government and industry on on-the-ground results, and less on process and paperwork.

The act and regulations ensure forest and range activities are sustainable by setting objectives on key values. While carrying out field activities, licensees must address objectives such as soil conservation and biodiversity. The regulations also establish on-the-ground practices that must be followed by all operators. Operators may propose alternative results or strategies that are consistent with government objectives. In this way, the act encourages innovation and improvement.

The setting of objectives, along with increased reliance on resource management practitioners and a rigorous compliance program, are the key elements of the results-based framework.

Protecting environmental values

All forest and range operators on Crown land must address government objectives that conserve the integrity of the environment. These include specific objectives for key elements such as retention of old growth and wildlife trees through land use planning developed by the Ministry of Sustainable Resource Management, and wildlife, fish and water objectives established by the Ministry of Water, Land and Air Protection.

Operators are held accountable for results and strategies in their forest stewardship plan, to ensure the conservation of a wide range of values including soils, timber, wildlife, water, fish, biodiversity, cultural heritage resources, forage and plant communities.

Through the **Government Actions Regulation**, the province may develop specific objectives in localized areas to protect certain values such as wildlife, fish, water quality, visual quality, stream and lake sides, and recreation and then require operators to be consistent with those objectives.

Forest and woodlot planning and practice

Forest and woodlot licensees must submit forest stewardship plans and woodlot licence plans to government for approval. In these plans, licensees must state how their results or strategies will be consistent with government objectives for forest values. These results must be measurable and enforceable, contributing to effective compliance and enforcement.

The plans must include maps and details of reforestation plans. They must be made available for public comment and must be approved by government before work begins.

Rangeland activities

The **Range Planning and Practices Regulation** sets out the provisions for livestock grazing, hay cutting and developments such as fences on Crown range in British Columbia. It sets the objectives for conservation of range and forage values, including soils, plant communities, water, fish and wildlife, and biodiversity. It also contains the detailed planning and practice standards that must be met by Range Act agreement holders and other range operators.

Under the act, range agreement holders have the sole responsibility for preparing range plans and determining the most efficient and effective way to meet government standards for the range resource. Those plans must be approved by government.

The **Invasive Plants Regulation** enables the Ministry of Forests to protect Crown forest and rangeland from non-native plant species not already listed in the Weed Control Act. The regulation contains a list of 42 plants that may have a negative impact on the ecology of Crown lands, including plants like marsh thistle, puncture vine and Scotch broom.

Ensuring compliance and accountability

Government ensures a high degree of compliance with environmental protection standards through rigorous compliance programs carried out by the Ministry of Forests and the Ministry of Water, Land and Air Protection.

For the first time, monetary penalties may be assessed for contravention of all forestry legislation, including the Forest Act, the Range Act and their regulations. Under the **Administrative Remedies Regulation**, monetary penalties increase significantly. For example, the maximum penalty has increased to \$500,000 from \$100,000. Violations considered offences under the Offence Act will continue to be tried under the criminal justice system and carry a maximum fine of \$1 million and/or a three-year jail term.

Through the **Security for Forest and Range Practices Liability Regulation**, government will be able to require a security deposit from licensees. Should a licensee fail to fulfil its obligations, the deposit will provide the funds needed to carry out these activities.

The **Administrative Review and Appeal Procedure Regulation** clarifies processes for appeals to the independent Forest Appeals Commission and clarifies processes for administrative reviews. The **Forest Practices Board Regulation** continues the mandate of this body to investigate and audit forest activities and act on public complaints.

Notably, the act extends “whistle blower” protection to help ensure all contraventions are acted upon.

Recreation sites and trails

The **Forest Recreation Regulation** updates the rules governing Forest Service recreation sites, trails and interpretive forest sites to reflect current policies in which partners of the ministry may participate in the maintenance and management of such sites. It sets out details on the calculation of user fees and lends authority to enforcement officers on-site. It also sets out criteria for the creation of new facilities.

Effectiveness Evaluation

Reflecting a broad range of interests, the Forest and Range Practices Advisory Council will report and provide recommendations to the Minister of Forests on policy matters related to forest and range practices. Established by the government, the 10-member council periodically reviews and evaluates requirements of the Forest and Range Practices Act for its continued improvement.

- Duncan Barnett, B.C. Cattlemen's Association
- John Bergenske (alternate Mark Haddock), B.C. Environmental Network forest caucus
- Corinne Lonsdale, Union of B.C. Municipalities natural resource committee
- Brian McNaughton, Federation of B.C. Woodlot Associations
- Garry Merkel, First Nations Summit Task Group
- Roy Nagel, Central Interior Logger's Association
- Larry Pedersen (chair), chief forester, Ministry of Forests
- Kim Pollock, Industrial Wood & Allied Workers of Canada
- Ric Slaco, International Forest Products, representing major licensees
- Deane Strongitharm, Council of Tourism Associations

In addition to the compliance and enforcement regime, government and industry is committed to effectiveness evaluations to ensure the legislated requirements and objectives under the forest and range practices regime are themselves effective and comprehensive.

Specialist teams from government and industry gather field data, which is measured against objectives. By reviewing on-the-ground results against objectives, government can monitor and improves its policies and objectives, based on scientific data. These additional measures bring accountability to government's role in the protection of British Columbia's forest and rangeland assets. The results of these effectiveness evaluations will be made public and are an important part of the continuous improvement process under the results-based forest and range practices regime.

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