



MEETING YOUR LEGAL REQUIREMENT WHEN HARVESTING A TIMBER SALE

By Dave Clarke

In March 2014, the Forest Practice Board published a report titled, “Bridge Planning, Design and Construction” that looked at 216 bridges built in the last three years in five forest districts across the province. The results were surprising; there were a lot of sub-standard bridges.

Fortunately, the government, the forest industry and the professional associations acted swiftly and appropriately to address deficiencies in how bridges are planned, designed and built. Many in the forest industry inspected all their bridges and ensured documentation was current and accurate. Government has reviewed the bridges it is responsible for; BCTS is establishing measures to ensure accountability between what BCTS, as the planner, designs and what the timber sale licence holder builds. And the professional foresters and engineers associations are ensuring their members are informed about their obligations as professionals.

We did this work because we have a mandate to provide oversight of forest practices under the *Forest and Range Practices Act* and the *Wildfire Act*—a mandate we have carried out since 1995 on behalf of the public. We conduct audits, complaint investigations, appeals and special investigations and we publish about 30 reports a year on our web site, www.bcfpb.ca.

How does this relate to you? Well if you are responsible for forest tenure such as a timber sale, woodlot, community forest, etc., then you need to understand the planning, the practice and the reporting requirements and when to involve a professional forester or engineer.

For example, if you are awarded a timber sale there are a lot of documents to understand and obligations to manage for. This includes a site plan, a harvest plan and a road construction plan. As well, you are expected to be SAFE certified and have EMS, WHMIS, OFA and S-100 training. With all this training and information, are you ready to operate on the sale? Do you know what is

required if you want to change some aspect of how the timber sale is logged, including when to bring in a professional forester or engineer? The fact is, many timber sales that we audit have problems that indicate this question has not been considered by the licence holder to the extent it should be.

These examples of what to consider when working on a timber sale actually apply to any forest tenure. And, we have a guide available to help you be aware of what to expect if you are part of a Board audit: “What to Expect During a Board Compliance Audit.” It is available on our website. The most common issues we

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Harvesting a timber sale is typically a straight forward practice and, as with all other forest tenures, seeking a qualified professional forester or engineer’s advice early will help ensure the operation meets the legal requirements. It is also necessary to document what you change and why you change it so that everyone involved (including the Forest Practices Board) understands the reasoning.

Some questions to consider as you carry out your work include:

- In preparing your budget, have you factored in the cost of hiring professional foresters and/or engineers to provide professional guidance?
- On a stream crossing, have you changed the crossing type or length of span, if so do you need an engineer’s advice?
- Have you changed the yarding method, and if yes, have you considered the risk of increased site degradation?
- During fire season, do you know the daily fire danger rating and your fire equipment and operating time requirements?
- Are you aware of the minimum plantable spots per hectare you must manage your slash to?
- Have you determined, and documented, the fire hazard risk of your slash and have you abated it?

find in our audits relate to the following obligations: install stream crossings as designed, adhere to professionally prepared plans, maintain natural surface drainage patterns, maintain road, meet fire protection requirements, avoid soil disturbance and manage riparian areas appropriately. For a complete list of the top 10 audit findings and what you can do to avoid them, please refer to the guide.

When a licensee understands their obligations, uses the expertise of an appropriate professional and documents their reasoning for doing something, then they are more likely to fulfill the planning and legislative requirements. In the long run, your costs will be better controlled and the risk of an unexpected expense reduced. Finally, roads and bridges will be safer, stream siltation risks will be reduced and the ability to grow a vibrant new forest on the block is more likely.

If you want to know more about how we conduct our business please visit our website: www.bcfpb.ca.▲

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