

FORESTRY AUDIT: BC TIMBER SALES & TIMBER SALE LICENCE HOLDERS

Haida Gwaii Natural Resource District
Portion of the Chinook Business Area

JANUARY 2025
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**Forest
Practices
Board**

BC'S INDEPENDENT
WATCHDOG FOR
SOUND FOREST &
RANGE PRACTICES

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Audit Results

Introduction

The Forest Practices Board (the Board) is the public's watchdog for sound forest and range practices in British Columbia. One of the Board's roles is to audit the practices of the forest industry to ensure compliance with the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act*.

As part of its 2024 audit program, the Board randomly selected the BC Timber Sales' (BCTS) Haida Gwaii Natural Resource District portion of the Chinook Business Area for audit.

This report explains what the Board audited and the results. Detailed information about the Board's compliance audit process is provided in Appendix 1.



Figure 1. A free-growing cutblock near Sewell Inlet.

Figure 1. A free-growing cutblock near Sewell Inlet

Background

The audit area is on Haida Gwaii, which is accessed by ferry from Prince Rupert. Haida Gwaii has a total landmass of over 1 million hectares, which is situated mostly in two main islands, Graham Island to the north and Moresby Island to the south.

On Haida Gwaii, there are two Haida communities, Old Massett and Skidegate; there are three incorporated communities, Masset, Port Clements and Daajing Giids; and there are two unincorporated communities, Sandspit and Tlell, as illustrated in Figure 2.

The forests of Haida Gwaii are comprised of western redcedar, western hemlock, sitka spruce and some yellow-cedar and lodgepole pine. The biological diversity on Haida Gwaii is high, with many plant and animal species that are unique to the area.

Haida Gwaii has a total of 17 protected areas, amounting to a combined total of 478 000 hectares—nearly half the landmass. These protected areas are cooperatively managed by the Haida Nation, the Province of BC and the Government of Canada. Approximately 35 percent of the Crown forest land (155 493 hectares) is in the timber harvesting land base. Within this land base, the *Haida Gwaii Strategic Land Use Agreement* sets the framework for ecosystem-based management¹ and the *Haida Gwaii Land Use Objectives Order* establishes legal ecosystem-based management objectives.

This audit took place within the territory of the Haida Nation, the current, historical and ancient home of the Haida peoples. The Haida Nation has been the stewards of this land since time immemorial, and the Forest Practices Board acknowledges their deep connection with the land that continues to this day.

BCTS manages its Haida Gwaii operations out of Chilliwack and Haida Gwaii, where staff prepare operational plans, auction timber sales, and issue timber sale licences (TSL) and road permits. BCTS awards a TSL to the successful bidder at each auction, which authorizes the holder to harvest the auctioned timber. The TSL holder, in turn, is responsible for completing timber harvesting and road work associated with the TSL, as well as fulfilling the requirements of road permits and operational plans.

BCTS had a harvest apportionment of approximately 160 000 cubic metres per year from 2019 to 2023 in the Haida Gwaii Timber Supply Area (TSA). The apportionment was reduced to 98 000 cubic metres in 2024. BCTS harvested approximately 45 000 cubic metres of timber from the TSA during the period covered by this audit.

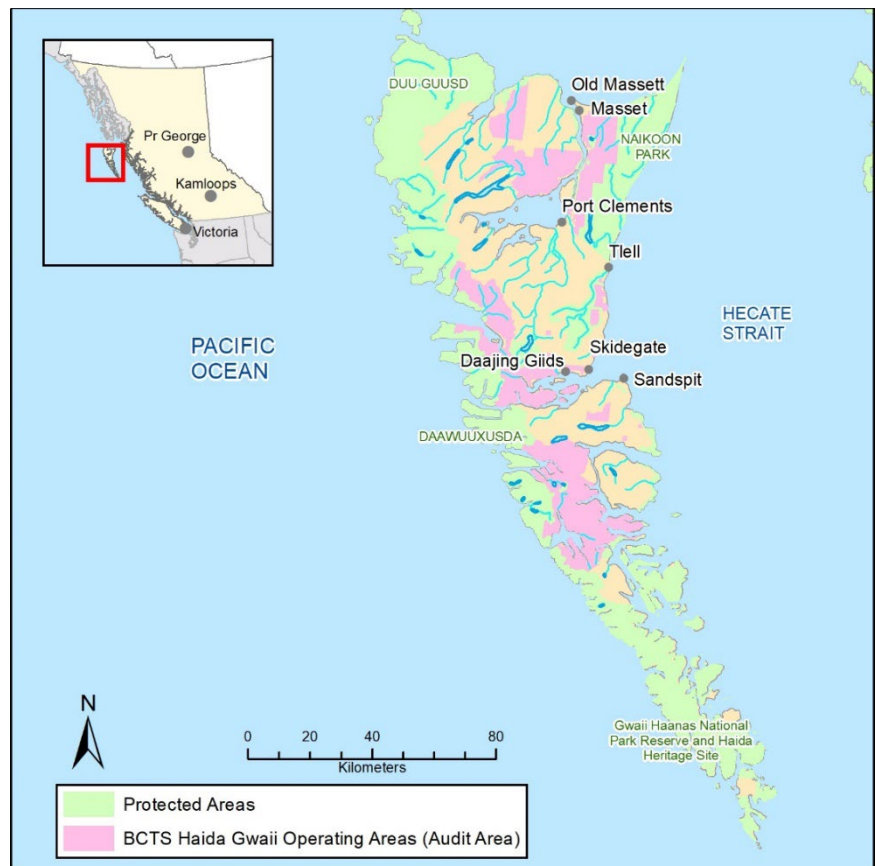


Figure 2. Map of the Audit Area

¹ Ecosystem-based management is an adaptive approach to managing human activities that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities. The intent is to maintain those spatial and temporal characteristics of ecosystems such that component species and ecological processes can be sustained, and human well-being supported and improved.

Audit Approach and Scope

This was a full-scope compliance audit with a two-year timeframe. All planning and activities carried out between May 1, 2022, and May 31, 2024, by BCTS and TSL holders listed in Table 1 were subject to audit.

TABLE 1. TSL Holders Subject to Audit

TIMBER SALE LICENCE HOLDER	TIMBER SALE LICENCE	CUTBLOCK
A&A Timber Ltd. (A&A)	A86038	LAW722
O'Brien, Randolph Carson (O'Brien)	A94555	NAI502
Xaayda Ventures Inc. (Xaayda)	TA2190	LOW002
686551 BC Ltd.	TA2326	SKI014

BCTS is responsible for operational planning, including preparing forest stewardship plans (FSP)ⁱ and site plans, silviculture activities, major structureⁱⁱ maintenance, construction and deactivation and most road construction, maintenance and deactivation outside of cutblocks.

TSL holders are responsible for timber harvesting, fire protection and most road construction, maintenance and deactivation within cutblocks.

The auditors assessed these activities for compliance with FRPA, the *Wildfire Act*, applicable regulations and legal orders. Their work included interviewing BCTS staff, reviewing the FSPs and site plans, assessing silviculture records and conducting site visits with BCTS staff and TSL holders to review field practices. Sites were accessed by ground and air. The audit team was comprised of forest professionals, an agrologist and a geoscientist, who were in the field from May 26 to 31, 2024.

The standards and procedures used to carry out this audit are set out in the Board's *Compliance Audit Reference Manual, Version 7.1, July 2016*.

Planning and Practices Examined

BCTS Responsibilities

Operational Planning

BCTS planned its activities in the *BCTS Chinook Business Area Forest Stewardship Plan Haida Gwaii Natural Resource District* (FSP ID 768). Auditors examined FSP ID 768 and all the stand-level site plans in the harvest population to ensure they met legal requirements. Auditors also compared site plans with site conditions during harvesting and conducted road and silviculture field sampling to ensure that they accurately identified site conditions.

The BCTS activities subject to this audit fall within the Forest Development Unit A, as identified in FSP ID 768. The audit area is subject to the *Haida Gwaii Land Use Objectives Order*, which establishes objectives for the following values:

- Cultural: including cedar stewardship areas, cultural feature identification, Haida traditional heritage features, Haida traditional forest features, cedar and yew retention and culturally modified trees and monumental cedar.

- Aquatic Habitats: including fish streams, active fluvial areas, sensitive watersheds and upland streams.
- Biodiversity: including forested swamps, ecological representation and red- and blue-listed ecological communities.
- Wildlife: including black bear dens and marbled murrelet, northern goshawk, great blue heron and northern saw-whet owl nesting habitat.
- Forest Reserves: including areas reserved to meet landscape level objectives.

Other government objectives established by order under the *Government Actions Regulation* (GAR) include objectives for visual quality, wildlife (northern goshawk and marbled murrelet), recreation sites and community watersheds. FSP ID 768 links the relevant aspects of the orders to BCTS’s operations.

Road and Major Structure Construction, Maintenance, and Deactivation

BCTS maintained 214 kilometres of road and 66 major structures but did not construct or deactivate any roads or major structures during the audit period. Auditors sampled 123 kilometres of road maintenance and 39 structures.

Silviculture Obligations and Activities

BCTS conducted brushing and planting, and had regeneration and free-growing obligations during the audit period. The populations and samples for these are summarized in Table 2.

TABLE 2. Population and Sample Summary for Silviculture Activities and Obligations

OBLIGATIONS AND ACTIVITIES*	POPULATION (Cutblocks)	SAMPLE (Cutblocks)
Brushing	3	2
Planting	9	7
Regeneration Obligations (due or declared)	30	11
Free-growing Obligations (due or declared)	14	6

* Includes an assessment of compliance with annual reporting requirements for all cutblocks in the population and an assessment of conformance with the Chief Forester’s Standards for Seed Use for the planting population.

Timber Sale Licensee Responsibilities

Timber Harvesting

During the audit period, 4 TSL holders harvested 4 cutblocks totalling 91.3 hectares. Auditors examined harvesting by 3 TSL holders on 3 cutblocks, totalling 90.3 hectares. The fourth TSL holder was not field audited because harvest activities started on the day of the field audit and there were insufficient activities to audit. The population and samples are summarized in Table 3.

TABLE 3. Population and Sample Summary for Harvest Activities

TIMBER SALE LICENCE HOLDER	NUMBER OF CUTBLOCKS	AREA HARVESTED (ha)	CUTBLOCKS FIELD SAMPLED
A&A Timber Ltd.	1	38.6	1
O'Brien, Randolph Carson	1	31.6	1
Xaayda Ventures Inc.	1	20.1	1
686551 BC Ltd.	1	1.0	0

Road and Major Structure Construction, Maintenance, and Deactivation

TSL holders constructed 5.2 kilometres of road, maintained 1.4 kilometres of road and deactivated 2.6 kilometres of road. TSL holders did not construct or maintain any structures. Auditors sampled 5.0 kilometres of road construction, 0.9 kilometres of road maintenance and 2.6 kilometres of road deactivation.

Wildfire Protection

Auditors examined fire preparedness, fire hazard assessment and hazard abatement practices in conjunction with the harvest sampling. The wildfire protection populations and samples are summarized in Table 4. The three cutblocks sampled for hazard assessments were held by three TSL holders.

TABLE 4. Population and Sample of Wildfire Activities

LICENSEE	POPULATION BY ACTIVITY			SAMPLE BY ACTIVITY		
	# of Cutblocks					
	Fire Preparedness at Active Work Sites	Fire Hazard Assessment	Fire Hazard Abatement	Fire Preparedness at Active Work Sites	Fire Hazard Assessment	Fire Hazard Abatement
A&A Timber Ltd.	1	1	1	1	1	1
O'Brien, Randolph Carson	0	1	1	0	1	1
Xaayda Ventures Inc.	0	1	1	0	1	1
686551 BC Ltd.	1	0	0	0	0	0
TOTAL	2	3	3	1	3	3

Findings

The audit found BCTS's and TSL holders' planning and practices generally complied with FRPA and the *Wildfire Act* as of May 2024. However, the audit identified issues related to road maintenance and fire hazard assessments.

BCTS Responsibilities

Findings of Non-Compliance

Road Maintenance in Sewell Inlet

Sections 79 and 81 of the *Forest Planning and Practices Regulation (FPPR)*ⁱⁱⁱ establish requirements for wilderness road maintenance. These sections of the FPPR state that the person responsible for a road or bridge must ensure that the road and structures are not adversely affecting a forest resource. The Board's view of compliance with the wilderness road requirements is a demonstration of due diligence to ensure a forest resource is not adversely impacted, rather than whether a material adverse effect to a forest resource occurred. To satisfy the requirement "to ensure", BCTS must take steps to "make certain" of these outcomes, including putting a system of checks and balances in place.

BCTS is responsible for managing almost 90 kilometres of forest service roads (FSRs) and crossing structures in its Sewell Inlet operating area on Moresby Island. Given the close proximity of BCTS roads and bridges to riparian areas and fish habitat in an area that is prone to intense rain, wind and soil erosion, the Board expects a level of diligence commensurate with the risk to ensure a negative result does not occur.

Auditors found BCTS was not monitoring its roads and structures in Sewell Inlet at a frequency that was commensurate with risk. BCTS risk-rated these roads as moderate. BCTS's road inspection policy (the Engineering Manual) requires annual inspections on moderate-risk roads. However, BCTS has not conducted any road inspections in Sewell Inlet since 2018 and did not conform to its road inspection policy.

BCTS could not provide any current road and structure inspection records. Auditors observed landslide and erosion events that impacted roads and drainage systems, including one instance where a bridge on a fish stream failed. BCTS was not aware of these situations and had no records to determine the potential impacts and consequences, and whether further action needed to be taken.

BCTS was unable to demonstrate that it ensured that roads and structures were not adversely affecting forest resources. It was not diligent in inspecting these roads and structures, which is considered a significant non-compliance with section 81 of the FPPR.

In response to an audit by the Office of the Auditor General (2020),² BCTS developed provincial procedures for inventorying, risk rating, inspecting and maintaining FSRs and associated major structures. These procedures were instated in March 2023. Consequently, BCTS developed an annual FSR inspection plan for Haida Gwaii that included the Sewell Inlet roads. Subsequent to the audit, BCTS inspected these roads to identify maintenance priorities. Going forward, BCTS plans to work with the Ministry of Forests and the Haida Nation to develop road deactivation plans as needed.

General BCTS Findings

Operational and Site Planning

The results and strategies in FSP ID 768 incorporated the objectives contained in the *Haida Gwaii Land Use Objectives Order* and GAR orders that apply to forest practices in the audit area.

BCTS maintained accurate documentation of planning and operational activities. The files were complete and readily available to auditors. Site plans were consistent with the FSP and addressed site-specific resources by accurately identifying resource features such as cultural forest features, karst, sensitive soils, visual quality, sensitive watersheds, riparian areas and fish streams. Site plans also prescribed practices to effectively manage site-specific resources. BCTS completed resource assessments at the landscape, operational and site levels where required, and included recommendations from the assessments in its site plans.

BCTS did not plan to harvest or construct roads within cedar stewardship areas, forested swamps, red- and blue-listed ecological communities, wildlife habitats, forested reserves or aquatic habitats, and had no impact on those resources. BCTS harvested in one sensitive

² [Management of Forests Service Roads](#), Office of the Auditor General of British Columbia.

watershed, where it assessed the equivalent clearcut area (ECA) and determined that the harvesting met the ECA requirements specified in its FSP.

Auditors found no issues with BCTS's operational planning.

Road and Major Structure Maintenance

Road Maintenance

Other than the Sewell Inlet roads, BCTS adequately maintained roads and ensured the structural integrity of road prisms. All culverts examined were functional and effectively controlled drainage water. Auditors did not observe any road failures that could be attributed to a lack of due diligence. Active roads were safe for industrial use, drainage systems were functional and natural drainage patterns were maintained.

Major Structure Maintenance

BCTS works in conjunction with the Ministry of Forests' Coast Regional Engineering Group to inspect and maintain major structures on FSRs. BCTS adequately maintained structures on all active roads sampled.

BCTS operating areas contain a range of gentle-to-steep terrain, which requires a range of road construction techniques. On gentle-to-moderate terrain, BCTS employs basic water management and regular maintenance to ensure that resource roads and major structures are safe for use. However, in areas that contain steep and potentially unstable terrain, BCTS engages terrain specialists to assess road and structure locations and recommend precautionary measures to ensure roads are safe for use. Auditors found that BCTS's road and major structure maintenance practices complied with FRPA requirements.

Silviculture Activities and Obligations

BCTS planted all sampled cutblocks with suitable tree species and conformed with seed transfer limits. Cutblocks contained a range of healthy, well-spaced, acceptable trees required to meet free-growing requirements within the required periods. BCTS installed protective cones when planting cedar trees to limit browse damage caused by deer (Figure 3).

BCTS manages its regeneration obligations diligently by ensuring prompt planting of its cutblocks, maintaining plantation survival, and meeting the cedar species composition specified in its FSP. Auditors found that BCTS met its regeneration delay and free-growing obligations with respect to legislative requirements and the commitments made in its FSP.

BCTS surveyed all cutblocks before declaring that they were free-growing. These surveys provided accurate forest cover information, which was submitted to government databases. BCTS surveys and auditor field observations confirmed that BCTS met silviculture obligations.



Figure 3. Plastic cones installed to protect cedar seedlings from deer browsing.

BCTS met annual reporting requirements in all significant respects, reporting its activities to government in a timely and accurate manner.

Auditors did not have any concerns with BCTS's silviculture obligations or activities.

Timber Sale Licensee Responsibilities

Findings of Non-Compliance

Fire Hazard Assessments

Section 7(1)^{iv} of the *Wildfire Act* requires TSL holders to conduct fire hazard assessments. Section 11(3.1)(a)^v of the *Wildfire Regulation* sets out the intervals for conducting fire hazard assessments, including an assessment of the fuel hazard and the associated risk of a fire starting or spreading. Furthermore, the TSL holder must provide a copy of a fire hazard assessment to an official when requested. If the assessment identifies a hazard, it must be abated.

A hazard assessment is a required step to determine if harvesting has created a fire hazard. If a hazard is identified and abated in a timely fashion, a TSL holder could demonstrate that it has been diligently complied with the legal requirements.

Auditors found that all three TSL holders abated fire hazards within the required period. However, both O'Brien and Xaayda did not complete the number of assessments required. As well, the assessments they completed were not completed within the required time period. While the TSL holders completed fire hazard abatement in accordance with the legal requirements, they did not demonstrate that they have been diligent in assessing the hazard, which does not comply with legislation. These non-compliances are not considered significant, since fire hazards were abated in an effective and timely manner and are considered areas requiring improvement.

General TSL Holder Findings

Harvesting

The TSL holders conducted harvesting in accordance with the requirements of legislation and followed the measures prescribed in the site plans. TSL holders maintained natural drainage patterns when constructing and maintaining roads and temporary access structures, and achieved wildlife tree retention objectives. TSL holders protected riparian areas along streams and non-classified drainages within cutblocks using machine-free zones, wind-firming and retaining vegetation adjacent to streams. Soil disturbance was below the limit specified in the site plans. Monumental cedar trees were protected in marked reserves and were undisturbed during harvest (Figure 4).

Auditors found no issues with TSL holder's harvesting activities.



Figure 4. A monumental cedar retained in a reserve.

Road Construction and Maintenance

Road Construction

Construction included building permanent roads on gentle terrain. When constructing roads, TSL holders conformed to site plans and installed drainage structures that maintained natural drainage patterns. The roads were safe and stable, and the auditors had no concerns.



Road Maintenance

The TSL holders maintained roads by grading them, clearing ditches and culverts to ensure good drainage, and cutting brush to provide safe sight lines. The roads sampled were safe for industrial use, culverts and ditch lines were free from obstructions, and natural drainage patterns were maintained (Figure 5).

Roads were well maintained and auditors had no concerns.

Figure 5. Log hauling on a road maintained by a TSL holder.

Wildfire Protection

On the active site audited, auditors found that the A&A prepared an emergency response plan to help them meet protection requirements, which includes annually notifying the government of its activities and providing contact information. In addition, the TSL holder monitored the fire danger class, modified activities accordingly³ and maintained the required number of fire-fighting hand tools on site. Because A&A was only loading and hauling logs, which is considered a low-risk activity in the *Wildfire Regulation*, it was not required to maintain an adequate fire suppression system. Regardless of this, A&A had an adequate system on site.

Other than the issues noted in the *Fire Hazard Assessments* section of this report, all three TSL holders sampled had completed fire hazard assessments. The completed assessments included a determination of fuel hazards and the associated risk of a fire starting or spreading, as required.

Auditors found that the TSL holders piled slash concurrently with and shortly after completing harvest activities. Slash was piled a safe distance from standing timber and the piles were either not required to be burned (as determined in the fire hazard assessment) or were ready to be burned when safe to do so. TSL holders reduced slash loads to below the abatement thresholds identified in [A Guide to Fuel Hazard Assessment and Abatement in British Columbia](#) within the timeframe specified in the *Wildfire Regulation* on all three of the cutblocks that were sampled during the audit period.

Other than the fire hazard assessment finding described previously, auditors had no concerns with wildfire protection.

³ Activity modifications can include maintaining a fire watcher and restricting activities to early in the day when the fire hazard is moderate or high and shutting down altogether when the hazard is extreme. On the day of the audit the fire hazard was low for more than three consecutive days and the TSL holder was not required to modify its activities.

Audit Opinion

In my opinion, except for the issues described below, the operational planning, timber harvesting, road and major structure construction, maintenance and deactivation, silviculture and fire protection activities carried out by BC Timber Sales and timber sale licence holders in the Haida Gwaii District portion of the Chinook Business Area, between May 1, 2022, and May 31, 2024, complied in all significant respects with the requirements of the *Forest and Range Practices Act*, the *Wildfire Act*, and related regulations, as of May 2024.

In reference to compliance, the term ‘in all significant respects’ recognizes that there may be minor instances of non-compliance that either may not be detected by the audit, or that are detected but not considered worthy of inclusion in the audit report.

Without further qualifying my opinion, I draw attention to the *Road Maintenance in Sewell Inlet* section of this report, which describes a significant non-compliance, and the *Fire Hazard Assessments* section of the report, which describes an area requiring improvement.

The *Audit Approach and Scope* and the *Planning and Practices Examined* sections of this report describe the basis of the audit work performed in reaching the above conclusion. The audit was conducted in accordance with the auditing standards of the Forest Practices Board, including adherence to the auditor independence standards and the ethical requirements, which are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour. Such an audit includes examining sufficient forest planning and practices to support an overall evaluation of compliance with the *Forest and Range Practices Act* and the *Wildfire Act*.



Daryl Spencer, RPF
Auditor of Record

Kelowna, British Columbia
November 25, 2024

Appendix 1:

Forest Practices Board Compliance Audit Process

Background

The Forest Practices Board conducts periodic audits of government and licensees to determine compliance with Parts 2 to 5 of the *Forest and Range Practices Act* (FRPA), and Parts 1 and 2 of the *Wildfire Act*, and associated regulations and standards.

Selection of Auditees

The number, type and scope of audits to be conducted each year are established by the Director of Audits in accordance with the Board's strategic priorities and budget. Once a licence has been audited, it is removed from the audit selection pool for five years.

The Board randomly selects districts or timber supply areas (TSAs) from each of the three natural resource areas of BC (North, South and Coast). The auditors then review the forest resources, geographic features, activities, and operating conditions in the district or TSA selected, as well as past Board audits in that district or TSA. These factors are considered with the Board's operational and strategic priorities, and the type of audit is determined. At this stage, the Board chooses the auditee(s) that best suits the selected risk and priorities. This is considered a qualified random approach of selection.

In addition, each year, the Board randomly selects at least 1 of the 31 BCTS field units for audit.

Audit Standards

Audits are conducted in accordance with auditing standards developed by the Board and described in the Board's *Compliance Audit Reference Manual*. The standards are based on Canadian generally accepted auditing standards and relevant ethical requirements. This includes those pertaining to independence, as published by the Chartered Professional Accountants of Canada, and consistent with the *Canadian Standards on Assurance Engagements* (CSAE) 3001, the *Conformity assessment – Requirements for bodies providing audit and certification of management systems* (ISO 17021-1:2011), and the *CPA Code of Professional Conduct* (CPABC Code – June 2015).

Audit Process

Conducting the Audit

Once the Board selects a licence or BCTS field unit for audit, the next step is to determine the scope of the audit (timeframe, activities). For the timeframe, the Board normally examines activities that took place over a one or two-year time period up to the start of the audit fieldwork (i.e., looking back two years). This is referred to as the audit period.

For a full-scope compliance audit, all activities carried out during the audit period are identified, which may include harvest, silviculture, fire protection and road-related activities. These activities form the population.

From the population, the auditors select a sample of each activity to examine in the field. Generally, auditors will concentrate on sampling where the risk of impacts to forest resources is deemed to be high. This is called the *inherent risk*. It can be a function of site conditions, natural circumstances, and the particular forest or range practices involved. Proportionally, more sampling occurs where the inherent risk is high because the higher the risk, the higher the likelihood of significant non-compliance or failure to achieve specified results.

For smaller audits, the sample may include the full population. Auditors also consider factors such as geographic distribution and values potentially affected by activities to ensure an adequate sample size.

Auditors' work includes interviewing licensee staff, reviewing the auditee's applicable plans, and reviewing applicable legal orders, observations, inspections, and assessments in the field.

Evaluating the Results

The Board recognizes that compliance with the requirements of FRPA and the *Wildfire Act* is more a matter of degree than absolute adherence. Determining compliance and assessing the significance of non-compliance requires the exercise of professional judgment within the direction provided by the Board.

The audit team, composed of professionals and technical experts, first determines whether forest practices comply with legal requirements. For those practices considered to not be in compliance, the audit team then evaluates the significance of the non-compliance based on a number of criteria, including the magnitude of the event, the frequency of its occurrence and the severity of the consequences.

Auditors categorize their findings into the following levels of compliance:

Compliance – where the auditor finds that practices meet FRPA and *Wildfire Act* requirements.

Unsound Practice – where the auditor identifies a practice that complies with FRPA or the *Wildfire Act*, but may adversely affect a forest resource.

Areas Requiring Improvement (Not significant non-compliance) – where the auditor, upon reaching a non-compliance conclusion, determines that one or more non-compliance event(s) is not significant and not generally worthy of reporting. In certain circumstances, these events may be reported as an area requiring improvement.

Significant non-compliance – where the auditor determines a non-compliance event(s) or condition(s) is, or has the potential to be, significant and is considered worthy of reporting.

Significant breach – where the auditor finds that significant harm has occurred, or is beginning to occur, to persons or the environment as a result of one or more non-compliance events.

If an auditor identifies a probable significant breach of the legislation, the auditor is required by the *Forest Practices Board Regulation* to immediately advise the Board, the party being audited, and the responsible minister(s).

Reporting

Based on the above evaluation, the auditor then prepares a draft audit report. The auditor provides the party being audited with a copy of the draft report for review and comment before it is submitted to the Board.

The Board reviews the draft report and may make recommendations and/or provide commentary on the audit findings. The Board must, prior to publishing a report or recommendation, consider whether or not it may adversely affect a party or person. The Board must give any affected party or person the opportunity to review, rebut or clarify the information before the Board publishes its report. The final report is released to the auditee first and then to the public and government seven days later.

ENDNOTES

ⁱ A forest stewardship plan (FSP) is a key planning element in the FRPA framework and the only plan subject to public review and comment and government approval. In FSPs, BCTS is required to identify results and/or strategies consistent with government objectives for values such as water, wildlife and soils. These results and strategies must be measurable and once approved are subject to government enforcement. FSPs identify areas within which road construction and harvesting will occur, but are not required to show the specific locations of future roads and cut blocks. FSPs can have a term of up to five years.

ⁱⁱ Major structure includes bridges and major culverts where:

- Bridge means a temporary or permanent crossing structure with a span length equal to or greater than 6 metres or an abutment height of 4 metres or greater.
- Major culvert has a pipe diameter of 2 metres or greater, or a bottom arch with a span greater than 2.13 metres.

ⁱⁱⁱ Road maintenance

79 (1)A person may maintain a road only if authorized or required to do so under the Act or this regulation.

(2)A person who is authorized in respect of a road must maintain the road, including bridges, culverts, fords and other structures associated with the road, until

- (a)the road is deactivated,
- (b)the minister notifies the person that the road should not be deactivated due to use or potential use of the road by others,
- (c)a road permit or special use permit for the road is issued to another person, or
- (d)the road is declared a forest service road under the Forest Act.

(3)Subject to subsection (4), the government must maintain a forest service road, including bridges, culverts, fords and other structures associated with the road, until the road is deactivated.

(4)The minister may order the holder of a road use permit that authorizes the use of a forest service road to assume all or part of the responsibility to maintain the road, including bridges, culverts, fords and other structures associated with the road.

(6)A person required to maintain a road must ensure all of the following:

- (a)the structural integrity of the road prism and clearing width are protected;
- (b)the drainage systems of the road are functional;
- (c)the road can be used safely by industrial users.

(7)A holder of a road use permit required to maintain a forest service road under subsection (4), on giving the minister at least 30 days notice, may do one or more of the following in respect of the forest service road:

- (a)build a bridge;
- (b)install a major culvert;
- (c)install a culvert in a fish stream.

(8)Within 30 days of receiving a notice referred to in subsection (7), the minister may impose requirements respecting a bridge or culvert referred to in that subsection, and the holder of the road use permit must comply with those requirements.

(9)If the minister does not impose requirements under subsection (8), the holder of the road use permit may proceed in accordance with the notice given under subsection (7).

Wilderness roads

81 Despite section 22.2 [non-industrial use of a road] of the Act and section 79 [road maintenance], if a forest service road, or a road authorized under a road permit, a cutting permit, a timber sale licence that does not provide for cutting permits, a special use permit or a woodlot licence is not being used by industrial users,

- (a)section 79 (6) (a) and (b) apply to that road only to the extent necessary to ensure there is no material adverse effect on a forest resource, and
- (b)section 79 (6) (c) does not apply to that road.

^{iv} Wildfire Act - Hazard assessment and abatement

7 (1) In prescribed circumstances and at prescribed intervals, a person carrying out an industrial activity or a prescribed activity on forest land or grass land or within 1 km of forest land or grass land must conduct fire hazard assessments.

^v *Wildfire Regulation* - Hazard assessment – Section 11 (3.1)

The prescribed intervals, at which a person described in section 7 (1) of the Act who is a qualified holder must conduct fire hazard assessments, are the intervals

- (a) set out in subsection (2) or (3) of this section, as applicable, or
- (b) specified by a professional forester or a registered forest technologist.



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