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VIA EMAIL

To: Regional Executive Directors
District Managers
Branch Directors

From: T.R. (Tim) Sheldon
Assistant Deputy Minister
Operations Division

Re: **FRPA General Bulletin (Number 10)**
Beetle Wood Salvage and Visual Quality



A new *Forest and Range Practices Act*, General Bulletin (Number 10), titled "Beetle Wood Salvage and Visual Quality" has just been completed. This bulletin discusses the general principles for dealing with the salvage of beetle wood in scenic areas. It should be noted that this bulletin does not deal with bark beetle management and control, which is being dealt with through the Mountain Pine Beetle Action Plan.

Electronic copies will be available soon from the Provincial FRPA Implementation Team's website at the following address:

<http://www.for.gov.bc.ca/rco/pfit/index.htm>

If you have any questions about this bulletin, please contact Jacques Marc, Senior Visual Resource Management Specialist, Forest Practices Branch, at (250) 387-8481, or by email at jacques.marc@gov.bc.ca.

Tim Sheldon
Assistant Deputy Minister
Operations Division

Attachment(s): 1

Regional Executive Directors
District Managers
Branch Directors

pc: Jim Langridge Director, Resource Tenures and Engineering Branch
Ministry of Forests and Range
Nancy Wilkin, Assistant Deputy Minister, Environmental Stewardship Division
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Rodger Stewart, Regional Manager, Environmental Assessment and Major Projects,
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Bruce Sieffert, Director, Strategic Support and Marine Planning
Integrated Land Management Bureau
Les Kiss, Vice President, Forestry, Coast Forest Products Association
Doug Routledge, Council of Forest Industries, Northern Operations
Shawn Hedges, Policy Forester, BC Timber Sales
Charlie Western, Provincial FRPA Implementation Team Chair, Operations Division
Jacques Marc, Senior Visual Resource Management Specialist, Forest Practices Branch
Bruce Fraser, Board Chair, Forest Practices Board
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Association of BC Forest Professionals
Association of Professional Biologists
Association of Professional Engineers and Geoscientists of BC
British Columbia Institute of Agrologists



FRPA GENERAL BULLETIN

Number 10

May 25, 2007

Beetle Wood Salvage and Visual Quality

Introduction

This Bulletin has been prepared to deal with the salvage of beetle killed timber from Scenic Areas. It does not deal with Bark Beetle Management and Control. That subject is dealt with through BC's Mountain Pine Beetle Action Plan.

The damage caused by the Mountain Pine Beetle in BC is wide spread and in many cases directly affects the scenic resource. Under FRPA Visual Quality Objectives (VQO's) and Objectives Set by Government (OSBG) for visual quality have been established on all scenic areas in the province. These are long term objectives that reflect the sensitivity of the landscape and public expectations for visual quality. VQO's are designed to maintain a prescribed level of visual quality over the long term.

The Social and Economic objectives of the Crown as conveyed to the Chief Forester in regard to Bark Beetles and AAC determinations are: *encouraging long-term economic sustainability of communities affected by the epidemic, recovering the greatest value from the dead timber before it burns or decays, while respecting other forest values; and conserving the long term forest values identified in land use plans.*

In many salvage situations it will still be possible to be consistent with established VQOs while achieving Governments Social and Economic Objectives. However, it is recognized that there will be circumstances where it is not practicable to achieve a VQO. Where this is the case, the options available to deal with the salvage of beetle killed timber as it relates to VQO's and FSP's are explained below.

Provisions under FRPA for addressing beetle salvage.

FPPR s. 12(7): Specifying Results or Strategies.

If the minister determines that it is not practicable, given the circumstances or conditions applicable to a particular area, for the person otherwise required to do so, to specify a result or strategy consistent with an established objective for that area, the minister must exempt the person from that requirement in relation to that area.

Discussion:

The DDM must exempt a person from having to prepare a result or strategy, normally required in respect of an established objective, if the DDM is persuaded that it is not practicable to do so, FRPA Section 12(7). Conditions may be attached to the exemption using FRPA s.112. A DDM cannot require compliance with a different VQO using FPPR 12(7). To manage to a different VQO requires that the existing objective be changed by going through GAR s.7(2). It is likely that where conditions are provided that they will have been written to deal with public concerns and/or sensitivity of the visual resource. Before granting an exemption the DDM must be first convinced that it is not practicable to prepare a result or strategy consistent with the established VQO.

FPPR s.25.1: Consistency of Intended Results & Strategies with Objectives.

(1) For the purpose of section 5 (1.1) of the Act, each intended result or strategy in a forest stewardship plan must be consistent with the established objectives to the extent practicable, to take into account the circumstances or conditions applicable to that area or that part.

Discussion:

FRPA 5(1.1) states that results and strategies must be consistent to the prescribed extent with objectives set by government and other objectives. The prescribed extent is defined in FPPR 25.1 as "the extent practicable". Under normal circumstances, consistent with a VQO means that the result or strategy must be consistent with the extent of alteration as prescribed in FPPR Section 1.1. Where this is not practicable, a result or strategy may be written which will not be fully consistent with all VQO criteria. The onus is on the licensee to craft a result or strategy that does this. A result or strategy must nevertheless be developed and the DDM will determine if it is consistent with the Visual Quality Objective to the extent practicable. A R/S cannot be accepted that simply says it will be consistent to the extent practicable.

Example of Possible R/S wording that would address FPPR s.25.1.

The following R/S applies within all Scenic Areas in FDU xxx within red or grey attacked stands where PI forms >60% of the mature volume/stems of the stand. All reasonable efforts will be made to be fully consistent with the VQO. Where the above is not practicable, the visual condition to be achieved may be greater in scale and visual acuity than that specified for the established VQO but will be consistent with the design elements of the established VQO

FRPA s. 16 (1.01) Professional Certification of Results or Strategies

A Forest Stewardship Plan or an amendment to a Forest Stewardship Plan conforms to Section 5 if a person with prescribed qualifications certifies that it conforms to section 5 in relation to the prescribed subject matter.

Where results or strategies for VQO's are prepared by a qualified professional, they may be certified, signifying that the professional believes the results or strategies specified in the plan, in relation to a VQO, are consistent with that objective. Where the professional certifies that it conforms to section 5, an FSP or amendment must be approved. Certification is done through the signing and sealing of a certificate which is provided by any of the four professional associations identified in FPPR s. 22.1. The certification test is "consistent with the objective" not "consistent to the extent practicable". As such this option may or may not provide licensees with the flexibility needed to deal with beetle salvage.

GAR s. 7(2): Visual Quality Objectives

The minister responsible for the Forest Act by order may establish for a scenic area visual quality objectives that are consistent with subsection (1) and are within the categories of altered forest landscape prescribed under section 1.1 of the Forest Planning and Practices Regulation.

GAR 7(2) gives the Minister of Forests and Range the authority to establish, amend, vary or cancel VQOs. This authority has been delegated to Forest District Managers. As stated above, VQOs are long term objectives and are not normally changed in response to immediate or short term issues. However, it must be understood that any change must go through the GAR process.

Operational Application

In those circumstances where a R/S can not be written to be consistent with a VQO (i.e. salvage is on a much larger scale than VQO) use FPPR 12(7). This provision generally applies when a licensee is preparing a FSP, but can also be applied at any time an amendment is considered. The licensee would apply for an exemption from preparing a R/S for the specific area in question.

In those circumstances where a R/S can be written that are consistent in some respects (i.e. salvage operations are predicted to be close to meeting VQO), use FPPR 25.1. This provision also applies when a licensee is preparing a FSP, but can also be applied at any time an amendment is considered. It provides licensees with some limited flexibility when it comes to conducting salvage operations within scenic areas.

GAR s. 7(2) would normally be utilized in advance of FSP preparation to guide development of R/S, but could be utilized at any point in time. GAR objectives for visual quality do not trigger major amendments so any amendments would have to be submitted voluntarily.

If the value of leaving a Mountain Pine Beetle infested forest standing for scenic, recreation, wildlife, or other reasons is significant, then considerations should be given to this option as well.

Contacts

If there are any questions about this bulletin, please contact:

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