

FRPA Facts: Forest Stewardship Plan Administration

IMPORTANT CAUTION: This document is intended to assist forestry practitioners with interpretation of recent changes to the *Forest and Range Practices Act*. The information contained within does not constitute legal advice. Government practitioners should seek legal advice from the Ministry of Attorney General, whereas industry practitioners should seek independent legal advice.

BACKGROUND

Sections of the Forest Planning and Practices Regulation (FPPR) are amended to support the removal of declared areas provisions, the repeal of the certification of forest stewardship plan (FSP) content, and to identify prescribed enactments that will trigger mandatory FSP amendments.

HIGHLIGHTS

Limited Planning Protection (Declared Areas and FRPA s.196 (1) Areas)

The FPPR s. 1 definition of “declared area” and FPPR sections 14 (4), 23, 30 (1), 32.1 (a) and 92.1 (3) (e) will be repealed to bring into force the repeal of FRPA s. 7 [*Limited protection for forest development units*]. This change will take effect on **January 1, 2026**, at which time all existing declared areas will cease to exist. FPPR s. 116 outlines the timelines under which planning protection subject to FRPA s.196 (1) (Forest Development Plan areas approved under the Forest Practices Code) will expire.

Setting Proportional Targets

The repeal of FPPR s. 19 (c) and (d) enables the minister to establish proportional targets across multiple FSPs within an area, without the request from an FSP holder. Removal of this limitation does not trigger a duty to set proportional targets, as these authorities are exercised at the discretion of the minister.

Balancing Objectives

FPPR s. 27 is amended to remove language requiring the minister to balance objectives "on request of a person who submits a forest stewardship plan for approval." This change enables the minister to balance, at their own discretion, objectives, results, strategies or other plan content when making FSP approval determinations.

FSP Mandatory Amendments

FPPR s. 28.1 supports the repeal and replacement of FRPA s. 8 [*Mandatory amendments*], that requires FSP holders to propose and submit, within 6 months, an amendment to their FSP if a forest development unit included in the plan is affected by the establishment, variation or cancellation of any of the following:

- Lakeshore management zone objectives,
- Water quality objectives,
- Wildlife habitat area objectives,
- Ungulate winter range objectives,
- Fisheries sensitive watershed objectives;

FRPA s. 8 and FPPR s. 28.1 (2) and (3) now require FSP holders to propose and submit, within 1 year of establishment, an amendment to their FSP if a forest development unit included in the plan is affected by the designation of a temperature sensitive stream through Government Actions Regulation s. 15 [*Temperature sensitive streams*]. These amendments require approval under FRPA s.16.

FSP Content Certification

The option to professionally certify specified parts of an FSP has been removed by repealing section 16 (1.01) of FRPA. Consequentially, the following sections of the FPPR are being repealed:

- FPPR s. 1 (2) which specifies the definition of “certify”;
- FPPR s. 22.1 which allows resource professionals to certify specified FSP content; and
- FPPR s. 32.2 which pertains to amendments required where certification wrongly given.

Additional questions about this information can be
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